



**Thematic Strategy on the Sustainable Use of Pesticides
Expert Meeting on Aerial Spraying
Minutes of the meeting organised on 31 March 2004**

DG ENV welcomed the participants to the expert meeting concerning aerial spraying organised in the context of the development of the forthcoming Thematic Strategy on the Sustainable Use of Pesticides. Competent authorities of the Member States, non governmental organisation, PPP manufacturers and their association, aircrafts manufacturers, applicators and their professional unions were represented.

The list of participants is attached.

1. Draft agenda

Adopted. The agenda is attached.

2. Introduction

DG ENV reminded the participants about the context of the meeting organised in the view of drafting the part of the forthcoming Commission proposal for a Thematic Strategy on the Sustainable Use of Pesticides dedicated to the pesticide application by aerial spraying.

Several general measures are currently considered by the Commission, such as the training of professional users (+ certification where relevant), control of spraying equipment, harmonisation of integrated pest management schemes (comment: CAP support measures may help implement the thematic strategy but will not be part of it),....

The general principle driving their practical implementation is to analyse existing measures at Member States level, to try to harmonise where relevant and necessary and integrate optimally Community legal initiatives into existing regulatory frameworks. Development of new legislation should only be used where necessary.

Aerial spraying was identified during the consultation process (2002) as one of the issues to be addressed by the Strategy. Therefore, it is one of the aspects examined in the study supporting the extended Impact Assessment. To that effect, the consultant BiPRO GmbH with the help of Commission services developed the “policy options paper”, as a starting point for the evaluation of economic, social, environmental and health impacts of the measures envisaged for aerial spraying.

BiPRO explained the methodology used for the survey carried out in support to the extended impact assessment. BiPRO summarised also the first results from the replies of authorities and stakeholders: the first results clearly showed that the situations vary

between the MS, that financial instruments are not favoured and that almost all MS did regulate this application technique one way or the other.

The following table summarises some of the situations in a number of current and new Member States.

	FR	DK	NL	UK	SI	IT	BE	EE	CY	IE	MT
Total ban		●			●			●			
Ban with exceptions						●			●		
Severe restrictions											
Permit	●										
Best practice			●				●			●	
Safety conditions				●							
Non severe restrictions											●
Financial instruments											
No restrictions											

(source BiPRO survey)

Differences were also identified amongst Member States for use of aerial spraying to protect the same crop, but the information needs to be verified (Italy - use of Bt for instance). DG ENV invited thus all participants to send complementary information (material and economic flow charts, correction of already presented figures,) to the Commission and to the consultant BiPRO.

3. Current situation in Member States

The current regulatory and practical situations in some Member States were presented by the competent authorities and supplemented by experienced stakeholders (again all were invited to send relevant information to BiPRO and DG ENV after the meeting).

Member State	Ban	Restricted list crops and pests	Restriction on product type	Pilots : trained and certified	Authorisation - AUT - Advanced warning AW
Germany	No	No	Yes	Yes	AW
France	No	No	Yes (T+, T excluded) + tank mixes banned	Yes	AW + report after application

Member State	Ban	Restricted list crops and pests	Restriction on product type	Pilots : trained and certified	Authorisation - AUT - Advanced warning AW
UK	No	No (actually only used to control bracken)	Special PPP authorisation	Yes	AW + report
Belgium	Yes by planes	No	Yes (Products class A toxicity + phytohormones)	Yes	AUT + AW
Greece	No	Yes (forest, rice, corn)	Yes (part of authorisation activity)	Yes (100 hours experience required)	AUT + supervision by expert
Austria	Yes	Under discussion (Diabrotica)	/	/	/
Spain	No	No	No	Yes ?	AUT + AW + report
Portugal	No	No	Special PPP authorisation	Under development	AW

Germany has developed comprehensive guidelines that have been specified by crops and local conditions (Länder). They relate to mapping, personnel, equipment, weather conditions (wind), operating flight conditions (distances from housing, beehives,...).

Belgium has a case by case approach based on a general guideline established by the pesticides registration committee. Minimal surface (3 ha), humidity (50%), maximal wind speed,...are defined. Insurance of the applicator is compulsory. However, pilot unions indicated that the conditions are very strict compared to other countries and could explain the absence of authorisation since many year. Only application by helicopters can be authorised.

Similar requirements are also in place in **Greece**, where until some years ago aerial spraying was still used to treat olives (Corfu, 2002), which has recently been banned. It is now limited to forests and rice paddies.

Spain reported that very important surfaces (olives, forests, locust infested areas) are treated by planes according to regulatory instruments defining safety measures. Technical improvements (GPS) and use of available database are also in place and reduce drift and contamination risk. Active substances like dimethoate, malathion are currently used.

DG ENV expressed its interest to receive copies of existing official guidelines in view of further harmonisation of the conditions for aerial application.

4. Stakeholders' views and discussion

Manufacturers of helicopters and planes, as well as applicators demonstrated with examples and arguments that aerial spraying technique is not dangerous per se if correctly managed and implemented. Essential uses need to be permanently maintained and the regulatory process should be flexible enough to tolerate new uses (quarantine pest,...). They highlighted several advantages in vineyards for instance: reduction of water used, products applied, increased speediness, accuracy, precision and flexibility of the treatments, decreased operator exposure, reduced soil erosion, improved economic efficiency,... It appeared also that aerial spraying is economically advantageous, as the same surface is treated in 20 % of the time imposed to ground application, while being also positive for climate change as its fuel consumption is less important. Because of these arguments, some participants are considering that aerial spraying could be part of IPM requirements ('agriculture raisonnée') because it can follow much more precisely recommendations from extension services and pest forecasting. Education (and certification) of pilots is an essential requirement.

Because of technological improvements (boom width, nozzle, automatic flow control associated with GPS, modelling software – see among other www.agdrift.com,), practical organisation (points for water refilling and preparation), adjuvants to spray-solution, aerial spraying does have obvious advantages and did not appear at least on the basis of the presentations, as a worse technique of application compared to ground application. One should indeed put in balance, the obligations of aerial spraying techniques (certification of users, record-keeping, reporting obligations, risk mitigation via equipment,...) compared to the current situation for ground spraying techniques. In addition, both in the Netherlands and in France, trials in co-operation with the authorities are in progress to compare drift from aerial spraying to that of ground application.

Pesticides Action Network (PAN) indicated however that general statements about advantages can not be made and that a comparative assessment should be recommended in order to check if this technique could lead to use reduction and safety improvement for operators, bystanders and the environment. PAN highlighted also the importance of training, effective controls and sanction in case of misuse. PAN indicated they were ready to re-assess their original position (advocating a total ban on aerial spraying) on the basis of reliable information: they will report back to the Commission in May. Some information could also be found on www.panna.org.

ECPA (+ IBMA) and pesticide manufacturers (Bayer, BASF, Valent) supported the idea that aerial spraying should be restricted to those cases where there are no viable alternatives or when it presents clear advantages and environmental benefits compared to other spraying methods. Criteria are actual location of the pest, height of the crop, topography, access to crop,...and referred to already cited examples (forest, banana, vineyards, bracken, wet rice crop, marsh area, corn for *Diabrotica*,...). Specific technical devices (nozzle), product improvement could help to reduce the identified risks of diffuse contamination. Training of staff and their certification, and guidance framework (requirements,...) for a proper authorisation system should be established at Community level.

5. Tentative conclusion

DG ENV thanked all the participants for their helpful contributions. DG ENV expected to receive additional statements, data and figures from the participants after the meeting.

From the presentations and the discussion, the first conclusions of DG ENV are as follows:

- Some advantages were clearly illustrated but some inconvenience for the public (bystander) were not totally excluded;
- Provided that the optimal conditions are met, that the operators are well trained and that the equipment is also carefully considered, aerial treatment seemed to have risk levels comparable to, or lower than ground application;
- Modern technologies (model, nozzle, boom width,..) could help to further reduce risks;
- Full harmonisation of system without any degree of subsidiarity for Member States would probably not be the best solution; however, there are reasons to establish minimal requirements and list of crops for which aerial spraying could be deemed acceptable;
- Training and certification of operators will have to be addressed even if administrative management will remain in the hands of Member States;
- None of the 4 options in the paper of BiPRO seemed the best. Instead, a modified Option 2, starting from restricted possibilities (instead of a ban and derogations) seemed the best solution.

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Annexes : list of participants

Approved agenda

Presentations or statements by officials (DG ENV, BiPRO, DE, BE, EL, SP, P)

Presentations or statements by stakeholders (Micron, SNEH,DHV, PAN,ECPA, IBMA, STDF, Charlot)

List of participants to the expert meeting regarding aerial spraying of pesticides

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Adopted agenda of Expert Meeting on Aerial Spraying of Pesticides

- (1) Adoption of the agenda
- (2) Introduction by DG ENV on the status of the development of the Thematic Strategy on the Sustainable Use of Pesticides with a special focus on aerial spraying :
 - (a) Content of Communication ‘Towards....’ and results of stakeholders consultation
 - (b) Policy options – generalities
 - (c) Extended Impact Assessment : first report of BiPRO survey
- (3) Information by representatives of Member States regarding existing or envisaged regulatory instruments concerning aerial spraying :
 - (a) Type of instruments developed or envisaged
 - (b) Acquired experience with existing instruments (administrative management, controls, incidents,...) and assessment of alternative application techniques for certain crops
 - (c) Criteria according to which aerial spraying remains acceptable (case by case approach, certification of users, assessment criteria,...)
- (4) Point of view expressed by invited stakeholders regarding existing or future regulatory instruments at national or Community level : professional associations, farmers, non governmental organisations
- (5) Discussion on existing national regulatory frameworks in comparison with proposed options (see policy option paper in annex) to be possibly integrated in the Thematic Strategy :
 - (a) Benefits/drawbacks for users considering the treatment costs, practicability *versus* exposure of the environment, bystanders,....
 - (b) Alternative techniques: exposure of operators,.....
- (6) Tentative conclusions by DG ENV

Annex to the agenda of the expert meeting on aerial spraying of pesticides
EXCERPT FROM POLICY OPTION PAPER PRESENTED BY BIPRO¹

Potential Element of the Thematic Strategy

“The Commission considers that, due to its inherent high risks (in particular from spray drift), aerial spraying should be banned except where there are no viable alternatives or where aerial application represents clear advantages and also environmental benefits compared to other spraying methods.

The Commission would require Member States to severely restrict or ban aerial spraying when the conditions for safeguarding (sensitive) bystanders or the environment can not be fulfilled. By way of derogation, aerial spraying could be authorised by the Member States, when there are no viable alternative ways of application or when there are environmental benefits. Those national rules and criteria for the zones where aerial spraying can be authorised could eventually be defined in a Member States Steering Committee, which would be set-up to oversee the implementation of the Thematic Strategy.”

Alternative options:

Option 1

The Commission would propose in a legally binding measure to generally ban the application of plant protection products via aerial spraying. By way of derogation, aerial spraying could be authorised by the Member States, when there are no viable alternative ways of application or when there are environmental benefits. Such exception could be made only for zones where the direct exposure of bystanders, in particular sensitive populations like children, or exposure of the environment can actually be controlled. A clear definition of criteria for those zones where aerial spraying can be authorised and all other necessary criteria for possible derogation delivered on a case by case basis by the Member States would be further developed by a Member States Steering Committee.

Option 2

The Commission would recommend that Member States severely restrict or ban aerial spraying according to their own rules when the conditions for safeguarding (sensitive) bystanders or the environment can not be fulfilled. Those national rules could eventually be discussed in a Member States Steering Committee or in other forms of consultation with the objective of harmonisation.

Option 3

The Community and/or the Member States would introduce appropriate financial instruments (taxes, levies, fees, etc) in order to increase costs of aerial spraying significantly in order to reduce aerial spraying without further restrictions or a ban.

Option 4

No action

¹ This document does not necessarily reflect the views of the EU Commission : it should be considered as a working document