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THE EUROPEAN UNION**

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**NOTE**

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from :            Presidency  
to :              Working Party on Statistics  
No. Cion prop. : 16738/06 - COM(2006) 778 final

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Subject :        Proposal for a Regulation of the European Parliament and of the Council  
                     concerning statistics on plant protection products

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With a view to the meeting of the Working Party on Statistics on 16 February 2009 delegations will find attached the outcome of the technical meeting with the European Parliament on 10 February 2009 on the above subject.

The result of the discussion is set out in bold in fourth column.

Reference to amendments being agreed with the European Parliament must be construed as Ad referendum, subject and pending the agreement of the CWP on Statistics.

Commission proposal	Common position	Draft EP recommendation for second reading	Presidency proposals and comments after 1 <sup>st</sup> technical meeting
<b>Title</b>			
REGULATION (EC) No .../2008 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of concerning statistics on plant protection products	REGULATION (EC) No .../2008 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of concerning statistics on <i>plant protection products</i>	REGULATION (EC) No .../2008 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of concerning statistics on pesticides <b>(AM 1)</b>	Political issue - subject to discussion at the 2 <sup>nd</sup> trialogue (3.3. 2009)
<b>Recital 1</b>			
(1) Decision 1600/2002/EC of the European Parliament and of the Council of 22 July 2002 laying down the Sixth Community Environment Action Programme recognised that the impact of pesticides on human health and the environment, in particular from plant protection products used in agriculture, must be reduced further. It underlined the need to achieve more sustainable use of pesticides and called for a significant	(1) Decision No 1600/2002/EC of the European Parliament and of the Council of 22 July 2002 laying down the Sixth Community Environment Action Programme <sup>1</sup> recognised that the impact of pesticides on human health and the environment, in particular from plant protection products used in agriculture, must be reduced further. It underlined the need to achieve more sustainable use of pesticides and called for a significant overall reduction of risks and the use of pesticides consistent with the necessary crop protection.	(1) Decision No 1600/2002/EC of the European Parliament and of the Council of 22 July 2002 laying down the Sixth Community Environment Action Programme recognised that the impact of pesticides on human health and the environment, in particular from <i>pesticides</i> used in agriculture, must be reduced further. It underlined the need to achieve more sustainable use of pesticides and called for a significant overall reduction of risks and the use of pesticides consistent with the necessary crop protection. <b>(AM 2)</b>	Political issue - subject to discussion at the 2 <sup>nd</sup> trialogue (3.3. 2009)

<sup>1</sup> OJ L 242, 10.9.2002, p. 1.

<b>Commission proposal</b>	<b>Common position</b>	<b>Draft EP recommendation for second reading</b>	<b>Presidency proposals and comments after 1<sup>st</sup> technical meeting</b>
overall reduction of risks and the use of pesticides consistent with the necessary crop protection.			
<b>Recital 2</b>			
<p>(2) In its Communication to the Council, the European Parliament and the European Economic and Social Committee entitled 'Towards a Thematic Strategy on the Sustainable Use of Pesticides', the Commission recognised the need for detailed, harmonised and up-to-date statistics on sales and use of pesticides at Community level. Such statistics are necessary for assessing policies of the European Union on sustainable development and for calculating relevant indicators on the risks for health and the environment related to pesticide use.</p>	<p>(2) In its Communication to the Council, the European Parliament and the European Economic and Social Committee entitled "Towards a Thematic Strategy on the Sustainable Use of Pesticides", the Commission recognised the need for detailed, harmonised and up-to-date statistics on sales and use of pesticides at Community level. Such statistics are necessary for assessing policies of the European Union on sustainable development and for calculating relevant indicators on the risks for health and the environment related to pesticide use.</p>		

Commission proposal	Common position	Draft EP recommendation for second reading	Presidency proposals and comments after 1 <sup>st</sup> technical meeting
<b>Recital 3</b>			
(3) Harmonised and comparable Community statistics on pesticide sales and use are essential for the development and monitoring of Community legislation and policies in the context of the Thematic Strategy on the Sustainable Use of Pesticides.	(3) Harmonised and comparable Community statistics on pesticide sales and use are essential for the development and monitoring of Community legislation and policies in the context of the Thematic Strategy on the Sustainable Use of Pesticides.		
<b>Recital 4</b>			
(4) Since the effects of the relatively new Directive 98/8/EC of the European Parliament and of the Council of 16 February 1998 concerning the placing of biocidal products on the market will not become apparent until well after 2006, when the first evaluation of active substances for use in biocidal products will be finalised, neither the Commission nor most Member States currently have sufficient knowledge or experience to	(4) Since the effects of the Directive 98/8/EC of the European Parliament and of the Council of 16 February 1998 concerning the placing of biocidal products on the market <sup>1</sup> will not become apparent until well after 2006, when the first evaluation of active substances for use in biocidal products will be finalised, neither the Commission nor most Member States currently have sufficient knowledge or experience to propose further measures regarding biocides. The scope of this Regulation should thus be limited to plant protection	(4) Since the effects of the Directive 98/8/EC of the European Parliament and of the Council of 16 February 1998 concerning the placing of biocidal products on the market will not become apparent until well after 2006, when the first evaluation of active substances for use in biocidal products will be finalised, neither the Commission nor most Member States currently have sufficient knowledge or experience to propose further measures regarding biocides. The scope of this Regulation should thus be limited to <i>pesticides</i> covered by	Political issue - subject to discussion at the 2 <sup>nd</sup> trialogue (3.3. 2009)

<sup>1</sup> OJ L 123, 24.4.1998, p. 1.

Commission proposal	Common position	Draft EP recommendation for second reading	Presidency proposals and comments after 1 <sup>st</sup> technical meeting
<p>propose further measures regarding biocides. The scope of this Regulation is thus limited to plant protection products covered by Council Directive 91/414/EEC of 15 July 1991 concerning the placing of plant protection products on the market, for which a large experience already exists on data collection. If necessary, the scope may be expanded at a later stage so as to include biocides.</p>	<p>products covered by Regulation (EC) No.../... of the European Parliament and of the Council of ... concerning the placing of plant protection products on the market<sup>1*</sup>, for which a large experience already exists on data collection.</p>	<p>Regulation (EC) No.../... of the European Parliament and of the Council of ... concerning the placing of plant protection products on the market, for which a large experience already exists on data collection. <i>Where appropriate, the Commission should however include in Annex III of this Regulation the use of biocidal products containing substances also covered by Regulation (EC) No .../... [concerning the placing of plant protection products on the market]. At a later stage, when sufficient experience has been gained after the publication of the first report provided for in Directive 98/8/EC, the Commission should extend the scope of this Regulation to cover the use of relevant biocides and to this end include those substances in Annex III.</i></p> <p>(AM 3)</p>	

<sup>1</sup> OJ L ...

\* Note to OJ: Please insert the number, date of adoption and reference of document under No ST 11119/08.

Commission proposal	Common position	Draft EP recommendation for second reading	Presidency proposals and comments after 1 <sup>st</sup> technical meeting
<b>Recital 5</b>			
<p>(5) The experience of the Commission in collecting data on sales and use of plant protection products over many years has demonstrated the need to have a harmonised methodology for collecting statistics at Community level both from the distribution chain and from users. Moreover, in view of the aim of calculating accurate risk indicators according to the objectives of the Thematic Strategy on the Sustainable Use of Pesticides, statistics need to be detailed up to the level of the active substances.</p>	<p>(5) The experience of the Commission in collecting data on sales and use of plant protection products over many years has demonstrated the need to have a harmonised methodology for collecting statistics at Community level both from the stage of placing on the market and from users. Moreover, in view of the aim of calculating accurate risk indicators according to the objectives of the Thematic Strategy on the Sustainable Use of Pesticides, statistics need to be detailed up to the level of the active substances.</p>	<p>(5) The experience of the Commission in collecting data on sales and use of <i>pesticides</i> over many years has demonstrated the need to have a harmonised methodology for collecting statistics at Community level both from the stage of placing on the market and from users. Moreover, in view of the aim of calculating accurate risk indicators according to the objectives of the Thematic Strategy on the Sustainable Use of Pesticides, statistics need to be detailed up to the level of the active substances.</p> <p><b>(AM 4)</b></p>	<p>Political issue - subject to discussion at the 2<sup>nd</sup> trialogue (3.3. 2009)</p>
<b>Recital 6</b>			
<p>(6) Among the different data collection options evaluated in the impact assessment of the Thematic Strategy on the Sustainable Use of Pesticides, mandatory data collection was recommended as the best option because it would allow the development of accurate</p>	<p>(6) Among the different data collection options evaluated in the impact assessment of the Thematic Strategy on the Sustainable Use of Pesticides, mandatory data collection was recommended as the best option because it would allow the development of accurate and reliable data on the placing on the</p>	<p>(6) Among the different data collection options evaluated in the impact assessment of the Thematic Strategy on the Sustainable Use of Pesticides, mandatory data collection was recommended as the best option because it would allow the development of accurate and reliable data on the placing on the</p>	<p>Political issue - subject to discussion at the 2<sup>nd</sup> trialogue (3.3. 2009)</p>

Commission proposal	Common position	Draft EP recommendation for second reading	Presidency proposals and comments after 1 <sup>st</sup> technical meeting
and reliable data on the production, distribution and use of plant protection products quickly and cost-efficiently.	market and use of plant protection products quickly and cost-efficiently.	market and use of <i>pesticides</i> quickly and cost-efficiently. (AM 5)	
(7) The measures for the production of statistics provided for in this Regulation are necessary for the performance of the activities of the Community. Since the objectives of the proposed action, namely establishing a framework for the production of Community statistics on the placing on the market and use of plant protection products, cannot be sufficiently achieved by the Member States individually, it is necessary for the required measures, in accordance with subsidiarity, to be adopted at Community level. These measures do not go beyond what is necessary to achieve those objectives.			

Commission proposal	Common position	Draft EP recommendation for second reading	Presidency proposals and comments after 1 <sup>st</sup> technical meeting
<b>Recital 7</b>			
<p>(8) Council Regulation (EC) No 322/97 of 17 February 1997 on Community Statistics constitutes the reference framework for the provisions of this Regulation. In particular, it requires conformity to standards of impartiality, reliability, objectivity, scientific independence, cost-effectiveness and statistical confidentiality.</p>	<p>(7) Council Regulation (EC) No 322/97 of 17 February 1997 on Community Statistics<sup>1</sup> constitutes the reference framework for the provisions of this Regulation. In particular, it requires conformity to standards of impartiality, reliability, relevance, cost-effectiveness, statistical confidentiality and transparency.</p>	<p>(7) Council Regulation (EC) No 322/97 of 17 February 1997 on Community Statistics constitutes the reference framework for the provisions of this Regulation. In particular, it requires conformity to standards of impartiality, reliability, relevance, <i>objectivity, scientific independence, accuracy</i>, cost-effectiveness, statistical confidentiality and transparency.</p> <p><b>(AM 6)</b></p>	<p>The Presidency proposes making a reference to the new Regulation on European Statistics repealing Council Regulation (EC) No 322/97 on Community Statistics, which encompasses the list of main statistical principles including their definitions.</p> <p><i>(7) Regulation (EC) No .../2009 on European Statistics and repealing Regulation (EC, Euratom) No 1101/2008 of the European Parliament and of the Council on the transmission of data subject to statistical confidentiality to the Statistical Office of the European Communities, Council Regulation (EC) No 322/97 on Community Statistics, and Council Decision 89/382/EEC, Euratom establishing a Committee on the Statistical Programmes of the European Communities constitutes the reference framework for the provisions of this Regulation, requiring, in particular, conformity to standards of professional independence, impartiality, objectivity, reliability, cost-effectiveness and statistical confidentiality.</i></p> <p><b>AGREED</b></p>

<sup>1</sup> OJ L 52, 22.2.1997, p. 1.



Commission proposal	Common position	Draft EP recommendation for second reading	Presidency proposals and comments after 1 <sup>st</sup> technical meeting
<b>Recital 8</b>			
	<p>(8) The transmission of data subject to statistical confidentiality is governed by the rules set out in Regulation (EC) No 322/97 and in Council Regulation (Euratom, EEC) No 1588/90 of 11 June 1990 on the transmission of data subject to statistical confidentiality to the Statistical Office of the European Communities<sup>1</sup>. Measures, which are taken in accordance with those Regulations ensure the physical and logical protection of confidential data and ensure that no unlawful disclosure and non-statistical use occur when Community statistics are produced and disseminated.</p>		
		<p><i>(8a) The publication and dissemination of data collected by this regulation is governed by the rules set out in Regulation (EC) No .../2009 on European (...) and Article 15 of Directive .../.../EC of the European Parliament and of the Council of ... establishing a framework for Community action to achieve a sustainable use of pesticides requires the publication by the Member States of the evaluations carried out on the basis of this data.</i></p>	

<sup>1</sup> OJ L 151, 15.6.1990, p. 1.

Commission proposal	Common position	Draft EP recommendation for second reading	Presidency proposals and comments after 1 <sup>st</sup> technical meeting
			<p><i>Measures, which are taken in accordance with Regulation (EC) No /2009, ensure the physical and logical protection of confidential data and ensure that no unlawful disclosure and non-statistical use occur when Community statistics are produced and disseminated.</i></p>
<b>Recital 9</b>			
<p>(9) The necessary protection of confidentiality on data of commercial value shall be assured, among other means, by an appropriate aggregation when publishing statistics.</p>	<p>(9) The necessary protection of confidentiality on data of commercial value should be assured, among other means, by an appropriate aggregation when publishing statistics.</p>	<p><i>(9) Taking due account of the obligations under the United Nations Economic Commission for Europe (UNECE) Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters of 25 June 1998 (Aarhus Convention), the necessary protection of confidentiality on data of commercial value <b>needs to</b> be assured, among other means, by an appropriate aggregation when publishing statistics.</i></p> <p><b>(AM 7)</b></p>	<p><b>EP asked to try to combine its recommendation with a reference to Recital 28 of the new Regulation on European Statistics which refers to the Aarhus Convention. The Commission proposes to substitute the Recital 9 with the following text:</b></p> <p><i>This Regulation should apply without prejudice to Directive 2003/4/EC of the European Parliament and of the Council of 28 January 2003 on public access to environmental information and to Regulation (EC) No 1367/2006 of the European Parliament and of the Council of 6 September 2006 on the application of the provisions of the Aarhus Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters to Community institutions and bodies .</i></p>

Commission proposal	Common position	Draft EP recommendation for second reading	Presidency proposals and comments after 1 <sup>st</sup> technical meeting
<b>Recital 10</b>			
(10) To guarantee comparable results, statistics on plant protection products should be produced in accordance with a specified breakdown, in an appropriate form and within a fixed period of time from the end of a reference year as defined in the Annexes of this Regulation.	(10) To guarantee comparable results, statistics on plant protection products should be produced in accordance with a specified breakdown, in an appropriate form and within a fixed period of time from the end of a reference year as defined in the Annexes of this Regulation.	(10) To guarantee comparable results, statistics on <i>pesticides</i> should be produced in accordance with a specified breakdown, in an appropriate form and within a fixed period of time from the end of a reference year as defined in the Annexes of this Regulation.  <b>(AM 8)</b>	Political issue - subject to discussion at the 2 <sup>nd</sup> trialogue (3.3. 2009)
<b>Recital 11</b>			
(11) The measures necessary for the implementation of this Regulation should be adopted in accordance with Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission;	(11) The measures necessary for the implementation of this Regulation should be adopted in accordance with Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission <sup>1</sup> .		

<sup>1</sup> OJ L 184, 17.7.1999, p. 23.

Commission proposal	Common position	Draft EP recommendation for second reading	Presidency proposals and comments after 1 <sup>st</sup> technical meeting
<b>Recital 12</b>			
<p>(12) In particular, powers should be conferred on the Commission to determine quality evaluation criteria, adopt specific definitions and adapt the Annexes. These measures of general scope designed to amend non-essential elements or supplement this Regulation by the addition of new non essential elements should be adopted in accordance with the regulatory procedure with scrutiny laid down to in Article 5a of Council Decision 1999/468/EC.</p>	<p>(12) In particular the Commission should be empowered to define the area treated and to adapt Annex III. Since those measures are of general scope and are designed to amend non-essential elements of this Regulation, inter alia by supplementing it with new non-essential elements, they must be adopted in accordance with the regulatory procedure with scrutiny provided for in Article 5a of Decision 1999/468/EC.</p>		
<b>Recital 13</b>			
	<p>(13) Since the objective of this Regulation, namely the establishment of a common framework for the systematic production of Community statistics on the placing on the market and use of plant protection products, cannot be sufficiently achieved by the Member States and can therefore be better achieved at</p>	<p>(13) Since the objective of this Regulation, namely the establishment of a common framework for the systematic production of Community statistics on the placing on the market and use of <i>pesticides</i>, cannot be sufficiently achieved by the Member States and can therefore be better achieved at Community level,</p>	<p>Political issue - subject to discussion at the 2<sup>nd</sup> trialogue (3.3. 2009)</p>

Commission proposal	Common position	Draft EP recommendation for second reading	Presidency proposals and comments after 1 <sup>st</sup> technical meeting
	Community level, the Community may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve that objective.	the Community may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve that objective.  <b>(AM 9)</b>	
<b>Recital 14</b>			
(13) The Statistical Programme Committee (SPC), established by Council Decision 89/382/EEC, Euratom <sup>19</sup> , has been consulted.	(14) The Statistical Programme Committee, established by Council Decision 89/382/EEC, Euratom <sup>1</sup> , has been consulted,		
<b>Article 1</b>			
Subject matter and scope	<i>Subject matter, scope and objectives</i>		
1. This Regulation establishes a framework for the production of Community statistics on the placing on the market and use of plant protection products.	1. This Regulation establishes a common framework for the systematic production of Community statistics on the placing on the market and use of plant protection products.	1. This Regulation establishes a common framework for the systematic production of Community statistics on the placing on the market and use of <i>pesticides</i> .	Political issue - subject to discussion at the 2 <sup>nd</sup> trialogue (3.3. 2009)

<sup>1</sup> OJ L 181, 28.6.1989, p. 47.

Commission proposal	Common position	Draft EP recommendation for second reading	Presidency proposals and comments after 1 <sup>st</sup> technical meeting
		(AM 10)	
2. The statistics shall apply to:	2. The statistics shall apply to:		
– the annual amounts of plant protection products placed on the market according to Annex I;	– the annual amounts of plant protection products placed on the market in accordance with Annex I;	- the annual amounts of <i>pesticides</i> placed on the market in accordance with Annex I; (AM 11)	Political issue - subject to discussion at the 2 <sup>nd</sup> trialogue (3.3. 2009)
– the annual agricultural use amounts of plant protection products according to Annex II.	– the annual agricultural use amounts of plant protection products in accordance with Annex II.	- <b>the annual amounts of <i>pesticides used in accordance with Annex II.</i></b> (AM 12)	Political issue - subject to discussion at the 2 <sup>nd</sup> trialogue (3.3. 2009)
		<i>2 a. (new) As regards biocides, the statistics shall apply only to the annual amounts of biocidal products placed on the market belonging to product types 14 to 19 as defined in Annex V to Directive 98/8/EC.</i> (AM 13)	Political issue - subject to discussion at the 2 <sup>nd</sup> trialogue (3.3. 2009).
	3. The statistics shall, in particular, together with other relevant data serve the purposes of Article 14 of Directive .../.../EC of the European Parliament and of the Council of ... establishing a framework for	3. The statistics shall, in particular, together with other relevant data serve the purposes of <b>Articles 4 and 14</b> of Directive .../.../EC of the European Parliament and of the Council of ... establishing a	The Presidency supports this amendment.  <b>The correct reference should be to Articles 4 and 15.</b>

Commission proposal	Common position	Draft EP recommendation for second reading	Presidency proposals and comments after 1 <sup>st</sup> technical meeting
	Community action to achieve a sustainable use of pesticides <sup>1*</sup> .	framework for Community action to achieve a sustainable use of pesticides.  (AM 14)	
<b>Article 2</b>			
Definitions	<i>Definitions</i>		
For the purposes of this Regulation, the following definitions shall apply:	For the purposes of this Regulation, the following definitions shall apply:		
(a) 'plant protection product' means plant protection product as defined in Article 2(1) of Directive 91/414/EEC as amended;	(a) "plant protection products" means plant protection products as referred to in Article 2(1) of Regulation (EC) No .../... <sup>*</sup> ;	(a) ' <i>pesticides</i> ' means:	Political issue - subject to discussion at the 2 <sup>nd</sup> trialogue (3.3. 2009)
		- plant protection products as <i>defined</i> in Article [2(1)] of Regulation (EC) No .../... [concerning the placing of plant protection products on the market];	The Presidency supports this amendment.

<sup>1</sup> OJ L

\* Note to OJ: Please insert the number, date of adoption and reference of document under No ST 6124/08.

\* Note to OJ: Please insert the number of Regulation from recital (4).

Commission proposal	Common position	Draft EP recommendation for second reading	Presidency proposals and comments after 1 <sup>st</sup> technical meeting
		<p>- <i>biocidal products as defined in Directive 98/8/EC belonging to product types 14 to 19 as defined in Annex V thereto;</i></p> <p>(AM15)</p>	<p>Political issue - subject to discussion at the 2<sup>nd</sup> trialogue (3.3. 2009)</p>
<p>(b) 'substance' means substance as defined in Article 2(3) of Directive 91/414/EEC as amended, including active substances, safeners and synergists;</p> <p>(c) 'placing on the market' means placing on the market as defined in Article 2(10) of Directive 91/414/EEC as amended;</p> <p>(d) 'supplier' means any natural or legal person who owns an 'authorization' for the placing on the market of plant protection products as defined in Article 2(11) of Directive 91/414/EEC as amended;</p> <p>(e) 'agricultural use' means any type of application of a plant protection product for one's own or for a third party, associated directly or indirectly with the production of plant products in the context of the</p>	<p>(b) "substances" means substances as defined in point (2) of Article 3 of Regulation (EC) No .../...*, including active substances, safeners and synergists;</p> <p>(c) "active substances" means active substances as referred to in Article 2(2) of Regulation (EC) No .../...*;</p> <p>(d) "safeners" means safeners as referred to in Article 2(3)(a) of Regulation (EC) No .../...*;</p> <p>(e) "synergists" means synergists as referred to in Article 2(3)(b) of Regulation (EC) No .../...*;</p> <p>(f) "placing on the market" means placing on the market as defined in point (8) of Article 3 of Regulation (EC) No .../...*;</p> <p>(g) "authorisation holder" means authorisation holder as defined in point (20) of Article 3 of Regulation (EC) No .../...*;</p>		

\* Note to OJ: Please insert the No of Regulation from recital (4).



Commission proposal	Common position	Draft EP recommendation for second reading	Presidency proposals and comments after 1 <sup>st</sup> technical meeting
<p>economic activity of the agricultural holding;</p> <p>(f) 'professional user' means any natural or legal person who carries out the use of pesticides in the framework of his professional activity, including operators, technicians, employers, self-employed people in the farming or the non farming sector as defined in Article 3 of the Directive of the European Parliament and of the Council establishing a framework for Community action to achieve a sustainable use of pesticides<sup>20</sup>;</p> <p>(g) 'agricultural holding' means agricultural holding as defined in Council Regulation (EEC) No 571/88 of 29 February 1988 on the organisation of Community surveys on the structure of agricultural holdings.</p>	<p>(h) "agricultural use" means any type of application of a plant protection product associated directly or indirectly with the production of plant products in the context of the economic activity of an agricultural holding;</p>		
	<p>(i) "professional user" means professional user as defined in point (1) of Article 3 of Directive .../.../EC<sup>**</sup>;</p>		
	<p>(j) "agricultural holding" means agricultural holding as defined in Regulation (EC) No .../... of the European Parliament and of the Council of ... on farm structure</p>		<p>As the Regulation on farm structure surveys was already adopted and published, the Presidency proposes a slight revision of the text:</p> <p>(j) "agricultural holding" means agricultural</p>

<sup>\*\*</sup> Note to OJ: Please insert the Directive No as in Article 1(3).

Commission proposal	Common position	Draft EP recommendation for second reading	Presidency proposals and comments after 1 <sup>st</sup> technical meeting
	surveys and the survey on agricultural production methods <sup>1***</sup> .		holding as defined in Regulation (EC) No 1166/2008 of the European Parliament and of the Council on farm structure surveys and the survey on agricultural production methods and repealing Council Regulation (EEC) No 571/88.
<b>Article 3</b>			
Data collection, transmission and processing	<i>Data collection, transmission and processing</i>		
1. Member States shall collect the data necessary for the specification of the characteristics listed in Annexes I and II by means of:	1. Member States shall collect the data necessary for the specification of the characteristics listed in Annexes I and II by means of:		
– surveys,	– surveys,		
– reporting obligations applicable to suppliers concerning the plant protection products placed on the market; distinct authorizations for professional and nonprofessional uses can be used,	– obligations concerning the placing of the plant protection products on the market; in particular, obligations pursuant to Article 67 of Regulation (EC) No .../...*,	- <b>reporting</b> obligations <b>as described in Article 3(1b)</b> concerning the <b>pesticides placed</b> on the market; <b>taking as a basis the</b> obligations pursuant to Article 67 of Regulation (EC) No .../..., <b>(AM 16)</b>	Pesticides: Political issue - subject to discussion at the 2 <sup>nd</sup> trialogue (3.3. 2009)  Reporting: The Presidency supports the Commission suggestion to refer to Article 67(3). <b>EP to reflect on it.</b>
– reporting obligations	– obligations applicable to	- <b>reporting</b> obligations applicable to	Pesticides: Political issue - subject to

<sup>1</sup> OJ L

<sup>\*\*\*</sup> Note to OJ: Please insert the No, adoption date and reference to doc under No PE-CONS 3642/08.

<sup>\*</sup> Note to OJ: Please insert the No of Regulation from recital (4).

Commission proposal	Common position	Draft EP recommendation for second reading	Presidency proposals and comments after 1 <sup>st</sup> technical meeting
applicable to professional users based on records kept on the use of plant protection products,	professional users based on records kept on the use of plant protection products; in particular, obligations pursuant to Article 67 of Regulation (EC) No .../...*,	professional users based on records kept on the use of <i>pesticides</i> ; <b>taking as a basis the</b> obligations pursuant to Article 67 of Regulation (EC) No .../..., <b>(AM 17)</b>	discussion at the 2 <sup>nd</sup> triologue (3.3.2009)  Reporting: The Presidency supports the Commission suggestion to refer to Article 67(1). Possibly the word "reporting" should be deleted since paragraph 1 of Article 67 is about record keeping. <b>EP to reflect on it.</b>
– administrative sources, or	– administrative sources, or		
– a combination of these means, including statistical estimation procedures on the basis of expert judgements or models.	– a combination of these means, including statistical estimation procedures on the basis of expert judgements or models.		
		<i>1a. (new) Member States shall communicate their choice of data collection pursuant to paragraph 1 to the Commission, which shall approve the data collection method in accordance with the regulatory procedure with scrutiny referred to in Article 6(3).</i> <b>(AM 18)</b>	<b>The Presidency supports the following alternative proposed by the Commission:</b> <i>Member States shall inform the Commission (Eurostat) in advance about the means used to collect data and shall provide details concerning the methods they will use in order to guarantee the quality of the data transmitted.</i> <b>EP to reflect on it.</b>
		<i>1b. (new) Member States shall ensure that those responsible for placing <u>pesticides</u> on the market</i>	Pesticides: Political issue - subject to discussion at the 2 <sup>nd</sup> triologue (3.3.

Commission proposal	Common position	Draft EP recommendation for second reading	Presidency proposals and comments after 1 <sup>st</sup> technical meeting
		<p><i>report annually to the competent authority on the quantities in which a given active substance or a given <u>pesticide</u> is placed on the market.</i></p> <p><i>This information shall be assessed by the competent authorities and, where appropriate after editing to preserve the confidentiality of certain information, published.</i></p> <p><b>(AM 19)</b></p>	<p>2009)</p> <p>The objective of this Regulation is essentially to describe the obligations of the Member States in terms of data collection and transmission. The Member States have to use their own data sources and their own data collection methods. The obligation to provide data for the purposes of this Regulation has been set up in the Regulation on the placing of plant protection products on the market (Art. 67.3)</p> <p>The second paragraph of amendment would interfere with the principle of independence of the Statistical Offices.</p> <p><b>EP to reflect on it.</b></p>
<p>2. Member States shall transmit to the Commission the statistical results, including confidential data, according to the schedules and with the periodicity specified in Annexes I and II. Data shall be presented according to the classification given in Annex III</p>	<p>2. Member States shall transmit to the Commission (Eurostat) the statistical results, including confidential data, according to the schedules and with the periodicity specified in Annexes I and II. Data shall be presented according to the classification given in Annex III.</p>	<p>2. Member States shall transmit to the Commission (Eurostat) the statistical results, including confidential data, according to the schedules and with the periodicity specified in Annexes I and II. Data shall be presented according to the classification given in Annex III.</p> <p><b><i>The Member States may aggregate the data for reasons of confidentiality.</i></b></p> <p><b>(AM 20)</b></p>	<p><u>This amendment is not acceptable.</u> Rules for the transmission of confidential data are described in the new Presidency proposal (Recital 8), where the reference to the new Regulation on European Statistics is made.</p> <p><i>(8a) The publication and dissemination of data collected by this regulation is governed by the rules set out in Regulation (EC) No .../2009 on European (...) and Article 15 of Directive .../.../EC of the European Parliament and of the Council of ... establishing a framework for Community action to achieve a sustainable use of pesticides requires the publication by the Member States of the evaluations carried out on the basis of this data.</i></p>

Commission proposal	Common position	Draft EP recommendation for second reading	Presidency proposals and comments after 1 <sup>st</sup> technical meeting
			<p><i>Measures, which are taken in accordance with Regulation (EC) No /2009, ensure the physical and logical protection of confidential data and ensure that no unlawful disclosure and non-statistical use occur when Community statistics are produced and disseminated.</i></p> <p><b>EP to reflect on it.</b></p>
		<p><i>2a.(new) Member States shall ensure that the data collected are used for an adequate evaluation by the competent national authorities and their existing advisory bodies with regard to the aims of the respective national action plans as referred to in Article 4 of Directive .../.../EC [establishing a framework for Community action to achieve the sustainable use of pesticides]. This evaluation shall be published on the Internet, taking due account of the confidential nature of sensitive business information as well as privacy obligations.</i></p> <p><b>(AM 21)</b></p>	<p>The idea of this amendment is already <u>incorporated</u> in Article 15(2) and (3) of the Framework Directive on the sustainable use of pesticides: Member States are obliged to "calculate harmonised risk indicators ... by using statistical data collected in accordance with Regulation (EC) No ... <u>[concerning statistics on plant protection products]</u> together with other relevant data ... and to communicate the results of the evaluations carried out pursuant to paragraph 2 to the Commission and to other Member States <u>and shall make this information available to the public.</u></p> <p><b>EP to reflect on it.</b></p>
<p>3. Member States shall transmit the data in electronic form, in conformity with an</p>	<p>3. Member States shall transmit the data in electronic form, in conformity with an appropriate</p>		

Commission proposal	Common position	Draft EP recommendation for second reading	Presidency proposals and comments after 1 <sup>st</sup> technical meeting
appropriate technical format to be adopted by the Commission in accordance with the procedure referred to in Article 5(2).	technical format to be adopted by the Commission (Eurostat) in accordance with the regulatory procedure referred to in Article 6(2).		
4. Member States shall produce reports on the quality of the statistics as stated in Annexes I and II.			
5. The Commission shall determine the quality evaluation criteria in accordance with the procedure referred to in Article 5(3).			
6. When needed for reasons of confidentiality, the Commission shall aggregate the data before publication according to the chemical classes or categories of products as indicated in Annex III.	4. For reasons of confidentiality, the Commission (Eurostat) shall aggregate the data before publication according to the chemical classes or categories of products indicated in Annex III, taking due account of the protection of confidential data at the level of individual Member State. In accordance with Article 15 of Regulation (EC) No 322/97, confidential data shall be used by national authorities and by the Commission (Eurostat) exclusively for statistical purposes.	4. For reasons of confidentiality, the Commission (Eurostat) shall aggregate the data before publication according to the chemical classes or categories of products indicated in Annex III, taking due account of the protection of confidential data at the level of individual Member State <b>as well as of the confidential nature of sensitive business information and of privacy obligations</b> . In accordance with Regulation (EC) No 322/97, confidential data shall be used by national authorities and by the Commission (Eurostat) exclusively for <b>the purposes of this</b>	<p>The idea of this amendment is incorporated in the new Presidency proposal, where the reference to the new Regulation on European Statistics is made.</p> <p>4. For reasons of confidentiality, the Commission (Eurostat) shall aggregate the data before publication according to the chemical classes or categories of products indicated in Annex III, taking due account of the protection of confidential data at the level of individual Member State. In accordance [...] with Article 20 of Regulation (EC) No .../2009 on European Statistics and repealing Regulation (EC, Euratom) No 1101/2008 of the European Parliament and of the Council on the transmission of data subject to statistical confidentiality to the Statistical Office of the European Communities, Council Regulation (EC) No 322/97 on Community</p>

Commission proposal	Common position	Draft EP recommendation for second reading	Presidency proposals and comments after 1 <sup>st</sup> technical meeting
		<p><b>Regulation.</b></p> <p><b>(AM 22)</b></p>	<p><i>Statistics, and Council Decision 89/382/EEC, Euratom establishing a Committee on the Statistical Programmes of the European Communities confidential data shall be used by national authorities and by the Commission (Eurostat) exclusively for statistical purposes unless the statistical unit has unambiguously given its consent to the use for any other purposes.</i></p> <p><b>EP to reflect on it.</b></p>
<b>Article 4</b>			
	<i>Quality assessment</i>		<i>Quality assessment</i>
	<p>1. For the purpose of this Regulation, the following quality assessment dimensions shall apply to the data to be transmitted:</p>		<p>In order to simplify the text of this Regulation, the Presidency proposes making a reference to Article 12 (1) of the new Regulation on European Statistics where the quality criteria are already specified.</p> <p><i>1. For the purpose of this Regulation, the quality criteria as laid down in Article 12 (1) of Regulation (EC) No.../2009 on European Statistics (...) shall apply.</i></p> <p><b>AGREED</b></p>
	<p>– "relevance" refers to the degree to which statistics meet current and potential needs of the users;</p>		
	<p>– "accuracy" refers to the closeness of estimates to the unknown true values;</p>		
	<p>– "timeliness" refers to the time lag between the availability of the information and the event or phenomenon it describes;</p>		

Commission proposal	Common position	Draft EP recommendation for second reading	Presidency proposals and comments after 1 <sup>st</sup> technical meeting
	– "punctuality" refers to the time lag between the date of the release of the data and the target date when it should have been delivered;		
	– "accessibility" and "clarity" refer to the conditions and modalities by which users can obtain, use and interpret data;		
	– "comparability" refers to the measurement of the impact of differences in applied statistical concepts and measurement tools and procedures when statistics are compared between geographical areas, sectoral domains or over time;		
	– "coherence" refers to the adequacy of the data to be reliably combined in different ways and for various uses.		
	2. Member States shall provide the Commission (Eurostat) with reports on the quality of the data transmitted as referred to in Annexes I and II. The Commission (Eurostat) shall assess the quality of data transmitted.		



Commission proposal	Common position	Draft EP recommendation for second reading	Presidency proposals and comments after 1 <sup>st</sup> technical meeting
<b>Article 4</b>	<b>Article 5</b>		
Implementation measures	<i>Implementation measures</i>		
<p>1. The following measures necessary for implementation of this Regulation, including measures to take account of economic and technical developments, shall be adopted in accordance with the regulatory procedure referred to in Article 5(2):</p> <p>(a) adoption of the appropriate technical format for the transmission of data (Article 3(3));</p> <p>(b) definition of the format and content of the quality reports to be supplied by the Member States (Section 6 of Annexes I and II);</p>	<p>1. The Commission shall adopt the appropriate technical format for the transmission of data in accordance with the regulatory procedure referred to in Article 6(2).</p>	<p>1. The Commission shall adopt the appropriate technical format for the transmission of data <b><i>and define the format and content of the quality reports to be supplied by the Member States (pursuant to Section 6 of Annex I and Section 6 of Annex II)</i></b> in accordance with the regulatory procedure referred to in Article 6(2).</p> <p><b>(AM 23)</b></p>	<p>The idea of this amendment is incorporated.</p> <p>The obligation to provide quality reports is already incorporated in Article 4 (2). The content of the reports is included in Section 6 of Annex I and II.</p> <p><b>Council Legal Service to check whether there is a need to make reference to Article 12(2) of new European Statistics Regulation.</b></p>
<p>2. The following measures shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 5(3):</p> <p>(a) determination of quality evaluation criteria (Article 3 (5));</p> <p>(b) definition of the 'area of crop treated' and of the 'crop season' referred to in Sections 2 and 4 of Annex II respectively;</p> <p>(c) adaptation of the specifications listed in Section</p>	<p>2. The Commission shall adopt the definition of the "area treated" as referred to in Section 2 of Annex II. That measure, designed to amend non-essential elements of this Regulation by supplementing it, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 6(3).</p>		

Commission proposal	Common position	Draft EP recommendation for second reading	Presidency proposals and comments after 1 <sup>st</sup> technical meeting
<p>3 of Annexes I and II, regarding the reporting measures;</p> <p>(d) adaptation of the list of substances to be covered and their classification in categories of products and chemical classes as given in Annex III.</p>			
	<p>3. The Commission may amend the harmonised classification of substances as defined in Annex III for the purpose of adapting it to changes in the list of active substances adopted in accordance with Article 78(3) of Regulation (EC) No .../...*. Those measures, designed to amend non-essential elements of this Regulation, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 6(3).</p>	<p>3. The Commission may <b><i>adapt the list of substances to be covered and their classification in categories of products and chemical classes as set out in Annex III.</i></b> Those measures, designed to amend non-essential elements of this Regulation, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 6(3). <b><i>Adaptation of the list of substances needs to take place on a regular basis and in the light of the ongoing consideration of active substances.</i></b></p> <p>(AM 24)</p>	<p>The Presidency suggests the following wording which reflects the idea of this amendment:</p> <p><i>The Commission shall adapt the list of substances to be covered and their classification in categories of products and chemical classes as set out in Annex III on a regular basis and at least every five years. Those measures, designed to amend non-essential elements of this Regulation, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 6(3).</i></p> <p><b>AGREED</b></p>

\* Note to OJ: Please insert the No of Regulation from recital (4).

Commission proposal	Common position	Draft EP recommendation for second reading	Presidency proposals and comments after 1 <sup>st</sup> technical meeting
<b>Article 5</b>	<b>Article 6</b>		
<i>Committee procedure</i>	<i>Committee procedure</i>		
1. The Commission shall be assisted by the Statistical Programme Committee.	1. The Commission shall be assisted by the Statistical Programme Committee.		<p>The Presidency suggests including a new text in order to make reference to the new Regulation on European Statistics:</p> <p>1. The Commission shall be assisted by the European Statistical System Committee referred by Article 7 of Regulation (EC) No.../2009 on European Statistics (...)</p>
2. Where reference is made to this paragraph, the regulatory procedure laid down in Articles 5 and 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof. The period laid down in Article 5(6) of Decision 1999/468/EC shall be three months.	2. Where reference is made to this paragraph, Articles 5 and 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof. The period laid down in Article 5(6) of Decision 1999/468/EC shall be three months.		

Commission proposal	Common position	Draft EP recommendation for second reading	Presidency proposals and comments after 1 <sup>st</sup> technical meeting
3. Where reference is made to this paragraph the regulatory procedure with scrutiny laid down in Article 5a (1) to (4) and Article 7 of Decision of Council Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.	3. Where reference is made to this paragraph, Article 5a(1) to (4) and Article 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.		
<b>Article 6</b>	<b>Article 7</b>		
Report	<i>Report</i>		
<p>The Commission shall submit a report on the implementation of the Regulation to the European Parliament and the Council every five years. This report shall evaluate in particular the quality of data transmitted, the burden on businesses and the usefulness of these statistics in the context of the Thematic Strategy on the Sustainable Use of Pesticides.</p> <p>The first report shall be submitted by the end of the</p>	<p>The Commission shall submit a report on the implementation of the Regulation to the European Parliament and the Council every five years. This report shall evaluate in particular the quality of data transmitted, as referred to in Article 4, the burden on businesses, agricultural holdings and national administrations and the usefulness of these statistics in the context of the Thematic Strategy on the Sustainable Use of Pesticides in particular with regard to the objectives set out in Article 1. It shall, if appropriate, contain</p>	<p>The Commission shall submit a report on the implementation of the Regulation to the European Parliament and the Council every five years. This report shall evaluate in particular the quality of data transmitted, as referred to in Article 4, the burden on businesses, agricultural <i>and horticultural</i> holdings and national administrations and the usefulness of these statistics in the context of the Thematic Strategy on the Sustainable Use of Pesticides in particular with regard to the objectives set out in Article 1. It</p>	<p><u>The idea of this amendment is incorporated.</u></p> <p>In Article 2 (j) there is a definition of agriculture holdings from Regulation (EC) No 1166/2008 of the European Parliament and of the Council on farm structure surveys and the survey on agricultural production methods and repealing Council regulation (EEC) No 571/88. This definition includes all subjects that deal with agriculture incl. horticulture activities. Thus it is not necessary to separate agricultural and horticultural holdings in this text. The collection of data on horticulture is guaranteed because horticulture is a part of agriculture not only in the above-mentioned regulation but also in statistical classification of economic activities (see Regulation (EC) No 1893/2006 of the European Parliament and of the Council</p>

\* Note to OJ: please insert the year which is eight years from the year of the adoption of this Regulation.

Commission proposal	Common position	Draft EP recommendation for second reading	Presidency proposals and comments after 1 <sup>st</sup> technical meeting
seventh calendar year following the year of entry into force of this Regulation.	proposals designed to further improve data quality and reduce the burden on businesses, agricultural holdings and national administrations. The first report shall be submitted by 1 January ...*.	shall, if appropriate, contain proposals designed to further improve data quality and reduce the burden on businesses, agricultural <i>and horticultural</i> holdings and national administrations.  <b>(AM 25)</b>	establishing the statistical classification of economic activities NACE Revision 2 and amending Council Regulation (EEC) No 3037/90 as well as certain EC Regulations on specific statistical domains.)  <b>The Commission suggested</b> that the date of delivery of the first report would be 31 December of the year before. Presidency is in favour of this suggestion.  <b>AGREED</b>
<b>Article 7</b>	<b>Article 8</b>		
<i>Entry into force</i>	<i>Entry into force</i>		
This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union. This Regulation shall be binding in its entirety and directly applicable in all Member States.	This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.  This Regulation shall be binding in its entirety and directly applicable in all Member States.  Done at  <i>For the European Parliament For the Council</i> <i>The President The President</i>		

Commission proposal	Common position	Draft EP recommendation for second reading	Presidency proposals and comments after 1 <sup>st</sup> technical meeting
<b>Annex I - title</b>			
Statistics on placing of plant protection products on the market	Statistics on placing of plant protection products on the market	Statistics on <i>the</i> placing on the market <i>of pesticides</i>  (AM 26)	Political issue - subject to discussion at the 2 <sup>nd</sup> triologue (3.3. 2009)
<b>Annex I - section 1</b>			
Coverage	Coverage		
The statistics shall cover all substances listed in Annex III consisting of active substances, safeners or synergists contained in plant protection products placed on the market in each Member State. Special attention shall be paid to avoiding double counting in the event of product reconditioning or transfer of authorization between suppliers.	The statistics shall cover substances listed in Annex III contained in plant protection products placed on the market in each Member State. Special attention shall be paid to avoiding double counting in the event of product reconditioning or transfer of authorisation between authorisation holders.		
<b>Annex I - section 2</b>			
Variables	Variables		
The quantity of each substance listed in Annex III contained in plant protection products placed on the market shall be compiled.	The quantity of each substance listed in Annex III contained in plant protection products placed on the market shall be compiled.	The quantity of each substance listed in Annex III contained in <i>pesticides</i> placed on the market shall be compiled <i>in each Member State</i> .	Pesticides: Political issue - subject to discussion at the 2 <sup>nd</sup> triologue (3.3. 2009)  <i>In each Member State:</i> The Presidency supports this amendment.

Commission proposal	Common position	Draft EP recommendation for second reading	Presidency proposals and comments after 1 <sup>st</sup> technical meeting
		(AM 27)	
<b>Annex I - section 2 a (new)</b>			
		<p><i>(new) Those responsible for placing pesticides on the market shall report annually to the competent authority on quantities in which a given active substance or a given pesticide is placed on the market.</i></p> <p>(AM 28)</p>	<p>Pesticides: Political issue - subject to discussion at the 2<sup>nd</sup> triologue (3.3. 2009)</p> <p>The objective of this Regulation is essentially to describe the obligations of the Member States in terms of data collection and transmission. Member States have to use their own data sources and their own data collection methods. The obligation to provide data for the purposes of this Regulation has been set up in the Regulation on the placing of plant protection products on the market (Art. 67.3).</p> <p><b>EP to reflect on it.</b></p>
<b>Annex I - section 3</b>			
Reporting measure	Reporting measure		
Data shall be expressed in kilograms of substances.	Data shall be expressed in kilograms of substances.		
<b>Annex I - section 4</b>			
Reference period	Reference period		
The reference period shall be the calendar year.	The reference period shall be the calendar year.		

Commission proposal	Common position	Draft EP recommendation for second reading	Presidency proposals and comments after 1 <sup>st</sup> technical meeting
<b>Annex I - section 5</b>			
First reference period, periodicity and transmission of results	First reference period, periodicity and transmission of results		
1. The first reference period is the second calendar year following the entry into force of this Regulation.	1. The first reference period is the second calendar year following ...* .		
2. Member States shall supply data for every calendar year subsequent to the first reference period.	2. Member States shall supply data for every calendar year subsequent to the first reference period.	2. Member States shall supply data for every calendar year subsequent to the first reference period <b>and publish them - where appropriate in aggregated form - on the Internet, taking due account of the confidential nature of sensitive business information as well as privacy obligations.</b> <b>(AM 29)</b>	<p><u>The Presidency suggests including a new recital which would specify the conditions for data publication and dissemination and which would refer to the already existing provisions in the Regulation on European Statistics and Directive establishing a framework for Community action to achieve a sustainable use of pesticides.</u></p> <p><i>(8a) The publication and dissemination of data collected by this regulation is governed by the rules set out in Regulation (EC) No .../2009 on European (...) and Article 15 of Directive .../.../EC of the European Parliament and of the Council of ... establishing a framework for Community action to achieve a sustainable use of pesticides requires the publication by the Member States of the evaluations carried out on the basis of this data.</i></p> <p><i>Measures, which are taken in accordance with Regulation (EC) No /2009, ensure the</i></p>

\* OJ: Please insert the date of entry into force of this Regulation.



Commission proposal	Common position	Draft EP recommendation for second reading	Presidency proposals and comments after 1 <sup>st</sup> technical meeting
			<p><i>physical and logical protection of confidential data and ensure that no unlawful disclosure and non-statistical use occur when Community statistics are produced and disseminated.</i></p> <p><b>EP to reflect on it.</b></p>
<p>3. Data shall be transmitted to the Commission within 12 months of the end of the reference year.</p>	<p>3. Data shall be transmitted to the Commission (Eurostat) within 12 months of the end of the reference year.</p>		
<b>Annex I - section 6</b>			
Quality report	Quality report		
<p>Member States shall supply the Commission with a quality report, indicating:</p>	<p>Member States shall supply the Commission (Eurostat) with a quality report, referred to in Article 4, indicating:</p>		
<p>– the methodology used to collect data;</p>	<p>- the methodology used to collect data;</p>		
<p>– relevant aspects of quality according to the methodology used to collect data;</p>	<p>- relevant aspects of quality according to the methodology used to collect data;</p>		
<p>– a description of estimations, aggregations and exclusion methods used.</p>	<p>- a description of estimations, aggregations and exclusion methods used.</p>		
<p>This report shall be transmitted to the Commission within 15 months of the end of the</p>	<p>This report shall be transmitted to the Commission (Eurostat) within 15 months of the end of the</p>		

Commission proposal	Common position	Draft EP recommendation for second reading	Presidency proposals and comments after 1 <sup>st</sup> technical meeting
reference year.	reference year.		
The report concerning the second reference year shall contain a raw estimate of the proportions of the total quantity of substances in each major group listed in Annex III contained in plant protection products placed on the market for both agricultural and non-agricultural use. These estimates shall be renewed every five years.		<i>(new) The report concerning the second reference year shall contain a raw estimate of the proportions of the total quantity of substances in each major group listed in Annex III contained in <u>pesticides</u> placed on the market for both agricultural and non-agricultural use. These estimates shall be renewed every five years.</i>  (AM 30)	Pesticides and non-agricultural use: Political issue - subject to discussion at the 2 <sup>nd</sup> trialogue (3.3. 2009)  Rest of the text: The Presidency supports this amendment.
<b>Annex II – title</b>			
Statistics on agricultural use of plant protection products	Statistics on agricultural use of plant protection products		
<b>Annex II - section 1 - paragraph 1</b>			
Coverage	Coverage		
1. Statistics shall cover the agricultural use of plant protection products in each Member State	1. Statistics shall cover substances listed in Annex III contained in plant protection products used in agriculture on each selected crop in each Member State.	1. Statistics shall cover substances listed in Annex III contained in <i>pesticides</i> on each selected crop in each Member State.  (AM 31)	Political issue - subject to discussion at the 2 <sup>nd</sup> trialogue (3.3. 2009)
2. Each Member State shall select a set of crops listed in categories D, F, G and I of the characteristics defined in	2. Each Member State shall establish the selection of crops to be covered during the five-year period defined in Section 5. The selection	2. Each Member State shall establish the selection of crops to be covered during the five-year period defined in Section 5. <i>Statistics shall</i>	The Presidency supports the Common Position, which gives a wide margin of discretion to the Member States to

Commission proposal	Common position	Draft EP recommendation for second reading	Presidency proposals and comments after 1 <sup>st</sup> technical meeting
Annex I of Council Regulation (EEC) No 571/88 and shall compile statistics for these crops. Statistics shall cover at least 75% of the total quantity of substances placed on the market annually for agricultural use as estimated in the quality report on the second reference year referred to in Section 6 of Annex I.	shall be designed to be representative of the crops cultivated in the Member State and of the substances used.	<i>cover at least 75 % of the total quantity of substances placed on the market annually for agricultural use as estimated in the quality report on the second reference year referred to in Section 7 of Annex I and</i> the selection shall be designed to be representative of the crops cultivated in the Member State and of the substances used.  <b>(AM 32)</b>	select the crops to be covered.  The combination of requirements concerning the representativeness of the crops cultivated and of the substances used with a link to the national action plans carried out by the Member States under the thematic strategy on the sustainable use of pesticides offers sufficient guaranties that coverage will be sufficient and will allow good comparisons of the results between Member States.  Moreover, in the Statement of its Reasons, the Council considers that the evaluation of the Regulation results after five years will allow the crop selection to be modified if necessary  <b>EP to discuss it at next triologue.</b>
	The selection of crops shall take into account the most relevant crops for the national action plans as referred to in Article 4 of Directive .../.../EC*.		
3. Statistics shall cover all substances listed in Annex III consisting of active substances, safeners or synergists contained in plant protection products used on the selected crops during the reference period.			

\* Note to OJ: Please insert the No of Directive as in Article 1(3).

Commission proposal	Common position	Draft EP recommendation for second reading	Presidency proposals and comments after 1 <sup>st</sup> technical meeting
<b>Annex II - section 2</b>			
Variables	Variables		
1. The quantity of each substance listed in Annex III contained in plant protection products used on each selected crop shall be compiled with the total area cultivated and the 'area of the crop treated' with each substance.	For each selected crop the following variables shall be compiled:		
	(a) the quantity of each substance listed in Annex III contained in plant protection products used on this crop, and	(a) the quantity of each substance listed in Annex III contained in <i>pesticides</i> used on this crop, and <b>(AM 33)</b>	Political issue - subject to discussion at the 2 <sup>nd</sup> triologue (3.3. 2009).
	(b) the area treated with each substance.		
2. The definition of the 'area of crop treated' shall be determined according to the procedure laid down in Article 5(3).			
<b>Annex II - section 3</b>			
Reporting measures	Reporting measures		
1. Quantities of substances	1. Quantities of substances used		

<b>Commission proposal</b>	<b>Common position</b>	<b>Draft EP recommendation for second reading</b>	<b>Presidency proposals and comments after 1<sup>st</sup> technical meeting</b>
used shall be expressed in kilograms.	shall be expressed in kilograms.		
2. Areas cultivated and areas treated shall be expressed in hectares.	2. Areas treated shall be expressed in hectares.		
<b>Annex II - section 4</b>			
Reference period	Reference period		
1. The reference period shall be the 'crop season' covering the cultural practices linked to the crop in question and including all the plant protection treatments associated directly or indirectly with this crop.	1. The reference period shall, in principle, be a period of maximum 12 months covering all plant protection treatments associated with the crop.	1. The reference period shall, in principle, be a period of maximum 12 months covering all plant protection treatments associated <i>directly or indirectly</i> with the crop. <b>(AM 34)</b>	The Presidency supports this amendment.
2. The 'crop season' shall be referred to as the year in which the harvest was taken.	2. The reference period shall be reported as the year in which the harvest began.		
3. The definition of the 'crop season' shall be determined according to the procedure laid down in Article 5(3).			
<b>Annex II - section 5</b>			
First reference period, periodicity and transmission of	First reference period, periodicity and transmission of results		

Commission proposal	Common position	Draft EP recommendation for second reading	Presidency proposals and comments after 1 <sup>st</sup> technical meeting
results			
1. For each five-year period, Member States shall compile statistics on the use of plant protection products for each selected crop within a reference period as defined in Section 4.	1. For each five-year period, Member States shall compile statistics on the use of plant protection products for each selected crop within a reference period as defined in Section 4.	1. For each five-year period, Member States shall compile statistics on the use of <i>pesticides</i> for each selected crop within a reference period as defined in Section 4.  (AM 35)	Political issue - subject to discussion at the 2 <sup>nd</sup> trialogue (3.3. 2009).
2. Member States may choose the reference period at any time of the five-year period. The choice can be made independently for each selected crop.	2. Member States may choose the reference period at any time of the five-year period. The choice can be made independently for each selected crop.		
3. The first five-year period shall start at the first calendar year following the entry into force of the Regulation.	3. The first five-year period shall start at the first calendar year following ...* .		
4. Member States shall supply data for every five-year period.	4. Member States shall supply data for every five-year period.		
5. Data shall be transmitted to the Commission within 12 months of the end of each five-year period.	5. Data shall be transmitted to the Commission (Eurostat) within 12 months of the end of each five-year period.	5. Data shall be transmitted to the Commission (Eurostat) <i>and published - where appropriate in aggregated form - on the Internet</i> , within 12 months of the end of each	<u>The Presidency suggests including a new recital which would specify the conditions for data publication and dissemination and which would refer to the already existing provisions in Regulation on European Statistics and Directive establishing a framework for Community action to achieve a sustainable use of pesticides.</u>

\* OJ: Please insert the date of the entry into force of this Regulation.

Commission proposal	Common position	Draft EP recommendation for second reading	Presidency proposals and comments after 1 <sup>st</sup> technical meeting
		five-year period, <i>taking due account of the confidential nature of sensitive business information as well as privacy obligations.</i> <b>(AM 36)</b>	<p>(8a) <i>The publication and dissemination of data collected by this regulation is governed by the rules set out in Regulation (EC) No .../2009 on European (...) and Article 15 of Directive .../.../EC of the European Parliament and of the Council of ... establishing a framework for Community action to achieve a sustainable use of pesticides requires the publication by the Member States of the evaluations carried out on the basis of this data.</i></p> <p><i>Measures, which are taken in accordance with Regulation (EC) No /2009, ensure the physical and logical protection of confidential data and ensure that no unlawful disclosure and non-statistical use occur when Community statistics are produced and disseminated.</i></p> <p><b>EP to reflect on it.</b></p>
<b>Annex II - section 6</b>			
Quality report	Quality report		
When they transmit their results, Member States shall supply the Commission with a quality report, indicating:	When they transmit their results, Member States shall supply the Commission (Eurostat) with a quality report, referred to in Article 4, indicating:		
– the design of the sampling methodology;	- the design of the sampling methodology;		
– the methodology used to collect data;	- the methodology used to collect data;		

<b>Commission proposal</b>	<b>Common position</b>	<b>Draft EP recommendation for second reading</b>	<b>Presidency proposals and comments after 1<sup>st</sup> technical meeting</b>
– an estimation of the relative importance of the crops covered with regard to the overall amount of plant protection products used;	- an estimation of the relative importance of the crops covered with regard to the overall amount of plant protection products used;		
– relevant aspects of quality according to the methodology used to collect data;	- relevant aspects of quality according to the methodology used to collect data;		
– a comparison between data on plant protection products used during the five-year period and plant protection products placed on the market during the five corresponding years.	- a comparison between data on plant protection products used during the five-year period and plant protection products placed on the market during the five corresponding years.		



## **ANNEX: Relevant extracts from Regulations mentioned in Presidency proposals**

### **A) Regulation (EC) No .../2009 on European Statistics and repealing Regulation (EC, Euratom) No 1101/2008 of the European Parliament and of the Council on the transmission of data subject to statistical confidentiality to the Statistical Office of the European Communities, Council Regulation (EC) No 322/97 on Community Statistics, and Council Decision 89/382/EEC, Euratom establishing a Committee on the Statistical Programmes of the European Communities** (PE-CONS 3708/08)

#### *Article 2*

#### *Statistical Principles*

1. The development, production and dissemination of European Statistics shall be governed by the following statistical principles:
  - (a) "professional independence" meaning that statistics must be developed, produced and disseminated in an independent manner, particularly as regards the selection of techniques, definitions, methodologies and sources to be used, and the timing and content of all forms of dissemination, free from any pressures from political or interest groups or from Community or national authorities, without prejudice to institutional settings, such as Community or national institutional or budgetary provisions or definitions of statistical needs;
  - (b) "impartiality" meaning that statistics must be developed, produced and disseminated in a neutral manner, and that all users must be given equal treatment;
  - (c) "objectivity" meaning that statistics must be developed, produced and disseminated in a systematic, reliable and unbiased manner; it implies the use of professional and ethical standards, and that the policies and practices followed are transparent to users and survey respondents;
  - (d) "reliability" meaning that statistics must measure as faithfully, accurately and consistently as possible the reality that they are designed to represent; it implies that scientific criteria are used for the selection of sources, methods and procedures;

- (e) "statistical confidentiality" meaning the protection of confidential data related to single statistical units which are obtained directly for statistical purposes or indirectly from administrative or other sources; it implies the prohibition of use for non statistical purposes of the data obtained and of their unlawful disclosure;
- (f) "cost effectiveness" meaning that the costs of producing statistics must be in proportion to the importance of the results and the benefits sought, that resources must be optimally used and the response burden minimised. The information requested shall, where possible, be readily extractable from available records or sources.

The statistical principles set out in this paragraph are further elaborated in the Code of Practice in accordance with Article 11.

#### *Article 7*

#### *European Statistical System Committee*

1. The European Statistical System Committee (hereinafter referred to as the "ESS Committee"), established in Article 27, shall provide professional guidance to the ESS for developing, producing and disseminating European Statistics in line with the statistical principles set out in Article 2(1).
2. The ESS Committee shall be composed of members of the NSIs who are national specialists for statistics. It shall be chaired by the Commission (Eurostat).
3. The ESS Committee shall adopt its rules of procedure, which shall reflect its tasks.
4. The ESS Committee shall be consulted by the Commission in regard to:
  - (a) the measures which the Commission intends to take for the development, production and dissemination of European Statistics, their justification on a cost effectiveness basis, the means and timetables for achieving them, the reporting burden on survey respondents;
  - (b) proposed developments and priorities in the European Statistical Programme;
  - (c) initiatives to bring into practice reprioritisation and reduction of response burden;
  - (d) issues concerning statistical confidentiality;
  - (e) the further development of the Code of Practice;

- (f) any other question, in particular issues of methodology, arising from the establishment or implementation of statistical programmes that are raised by its Chair, either on its own initiative or at the request of a Member State.

*Article 12*  
*Statistical quality*

1. To guarantee the quality of results, European statistics shall be developed, produced and disseminated on the basis of uniform standards and of harmonised methods. In this respect, the following quality dimensions shall apply:
- (a) "relevance" refers to the degree to which statistics meet current and potential needs of the users;
  - (b) "accuracy" refers to the closeness of estimates to the unknown true values;
  - (c) "timeliness" refers to the delay between the availability of the information and the event or phenomenon it describes;
  - (d) "punctuality" refers to the delay between the date of the release of the data and the target date when it should have been delivered;
  - (e) "accessibility" and "clarity" refer to the conditions and modalities by which users can obtain, use and interpret data;
  - (f) "comparability" refers to the measurement of the impact of differences in applied statistical concepts and measurement tools and procedures when statistics are compared between geographical areas, sectoral domains or over time;
  - (g) "coherence" refers to the adequacy of the data to be reliably combined in different ways and for various uses.
2. In applying the quality criteria laid down in paragraph 1 of this Article to the data covered by sectoral legislation in specific statistical domains, the modalities, structure and periodicity of quality reports provided for in sectoral legislation shall be defined by the Commission in accordance with the regulatory procedure referred to in Article 27(2).

*Article 18*  
*Dissemination measures*

1. The dissemination of European Statistics shall be undertaken in full compliance with the statistical principles, as set out in Article 2(1), particularly in respect of protecting statistical confidentiality and ensuring equality of access as required under the principle of impartiality.

2. The dissemination of European Statistics shall be carried out by the Commission (Eurostat), the NSIs and other national authorities within their respective spheres of competence.
3. Member States and the Commission, within their respective spheres of competence, shall provide the necessary support to ensure equality of access to European Statistics for all users.

#### *Article 20*

##### *Protection of confidential data*

1. The following rules and measures shall apply to ensure that confidential data are exclusively used for statistical purposes and to prevent their unlawful disclosure.
2. Confidential data obtained exclusively for the production of European Statistics shall be used by the NSIs and other national authorities and by the Commission (Eurostat) exclusively for statistical purposes unless the statistical unit has unambiguously given its consent to the use for any other purposes.
3. Statistical results which may make it possible to identify a statistical unit may be disseminated by the NSIs and other national authorities and the Commission (Eurostat) in the following exceptional cases:
  - (a) where specific conditions and modalities are determined by an act of the European Parliament and of the Council acting in accordance with Article 251 of the Treaty. These results shall be amended in such a way that their dissemination does not prejudice statistical confidentiality whenever the statistical unit has so requested; or
  - (b) where the statistical unit has unambiguously agreed to the disclosure of data.
4. Within their respective spheres of competence, the NSIs and other national authorities and the Commission (Eurostat) shall take all necessary measures to ensure the physical and logical protection of confidential data (Statistical Disclosure Control).

The NSIs and other national authorities and the Commission (Eurostat) shall take all necessary measures to ensure the harmonisation of principles and guidelines as regards the physical and logical protection of confidential data. Those measures shall be adopted by the Commission in accordance with the regulatory procedure referred to in Article 27(2).

5. Officials and other staff of the NSIs and other national authorities having access to confidential data shall be subject to compliance with such confidentiality, even after cessation of their functions.

#### *Article 21*

##### *Transmission of confidential data*

1. Transmission of confidential data from an ESS authority, as referred to in Article 4, that collected the data to another ESS authority may take place provided that this transmission is necessary for the efficient

development, production and dissemination of European Statistics or for increasing the quality of European Statistics.

2. Transmission of confidential data between an ESS authority that collected the data and an ESCB member may take place provided that this transmission is necessary for the efficient development, production and dissemination of European Statistics or for increasing the quality of European Statistics within the respective spheres of competence of the ESS and the ESCB, and that this necessity has been justified.
3. Any further transmission beyond the first transmission must be explicitly authorised by the authority that collected the data.
4. National rules on statistical confidentiality may not be invoked to prevent the transmission of confidential data under paragraphs 1 and 2 where an act of the European Parliament and of the Council acting in accordance with Article 251 of the Treaty provides for the transmission of such data.
5. Confidential data transmitted shall be used exclusively for statistical purposes and only accessible to staff working in statistical activities within their specific domain of work.
6. The provisions on statistical confidentiality provided for in this Regulation shall apply to all confidential data transmitted within the ESS and between the ESS and the ESCB.

#### *Article 22*

##### *Protection of confidential data in the Commission (Eurostat)*

1. Confidential data shall be accessible, subject to the exceptions laid down in paragraph 2, only to officials of the Commission (Eurostat) within their specific domain of work.
2. The Commission (Eurostat) may in exceptional cases grant access to confidential data to its other staff and to other natural persons working for the Commission (Eurostat) under contract within their specific domain of work.
3. Persons having access to confidential data shall use these data exclusively for statistical purposes. They shall be subject to this restriction even after cessation of their functions.

#### *Article 23*

##### *Access to confidential data for scientific purposes*

Access to confidential data which only allow for indirect identification of the statistical units may be granted to researchers carrying out statistical analyses for scientific purposes by the Commission (Eurostat) or by the NSIs or other national authorities in their respective sphere of competence. If the data have been transmitted to the Commission (Eurostat) the approval of the NSI or other national authority which provided the data is required.

The modalities, rules and conditions for access at Community level shall be established by the Commission. Those measures, designed to amend non-essential elements of this Regulation by supplementing it, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 27(3).

*Article 26*

*Violation of statistical confidentiality*

Member States and the Commission shall take appropriate measures to prevent and sanction any violations of statistical confidentiality.

**B) Regulation (EC) No 1166/2008 of the European Parliament and of the Council on farm structure surveys and the survey on agricultural production methods and repealing Council regulation (EEC) No 571/88**

*Article 2*

*Definitions*

For the purposes of this Regulation, the following definitions shall apply:

- (a) ‘agricultural holding’ or ‘holding’ means a single unit, both technically and economically, which has a single management and which undertakes agricultural activities listed in Annex I within the economic territory of the European Union, either as its primary or secondary activity;

## ANNEX I

### **List of agricultural activities referred to in the definition of an agricultural holding**

The following activities (which may be either primary or secondary activities) are based on the European Statistical Classification of Economic Activities (NACE Rev. 2) for crop and animal production, hunting and related service activities and are used to define an agricultural holding:

<b>Description of activity</b>	<b>NACE Rev. 2 code</b>	<b>Additional notes on activities included or excluded when defining agricultural activities</b>
Growing of non-perennial crops	01.1	
Growing of perennial crops	01.2	Agricultural holdings, which produce wine or olive oil from self-produced grapes or olives, are included within the scope of this Regulation.
Plant propagation	01.3	
Animal production	01.4	All activities classified under 01.49 of NACE Rev. 2 (Raising of other animals) shall be excluded from the scope of this Regulation, except: (i) the raising and breeding of ostriches, emus and rabbits; (ii) bee-keeping and production of honey and beeswax.
Mixed farming	01.5	
Support activities to agriculture and post-harvest crop activities	01.6	In general, all holdings, which carry out activities under 01.6 of NACE Rev. 2, are excluded from the scope of this Regulation if they are undertaken exclusively. However, holdings exclusively maintaining agricultural land in good agricultural and environmental condition (under 01.61 of NACE Rev. 2) are included in the scope of this Regulation.

## **C) Position of the European Parliament adopted at second reading on 13 January 2009 with a view to the adoption of Directive 2009/.../EC of the European Parliament and of the Council establishing a framework for Community action to achieve the sustainable use of pesticides**

### *Article 4*

#### *National Action Plans*

1. Member States shall adopt National Action Plans to set up their quantitative targets, measures and timetables to reduce risks and impacts of pesticide use on human health and the environment and to encourage the development and introduction of integrated pest management and of alternative approaches or techniques in order to reduce dependency on the use of pesticides. These targets may cover different areas of concern, for example workers' protection, protection of the environment, residues, use of specific techniques or use in specific crops.

The National Action Plans shall also include indicators to monitor the use of plant protection products containing active substances of particular concern, especially if alternatives are available. Member States shall give particular attention to the plant protection products containing active substances approved in accordance with Council Directive 91/414/EC of 15 July 1991 concerning the placing of plant products on the market [\(23\)](#) which, when subject to renewal of approval under Regulation (EC) No ... [concerning the placing of plant protection products on the market] will not fulfil the criteria relevant for approval laid down in Annex II, paragraph 3.6-3.8 of that Regulation.

On the basis of such indicators and taking into account where applicable the risk or use reduction targets achieved already prior to the application of this Directive, timetables and targets for the reduction of use shall also be established, in particular if it constitutes an appropriate means to achieve the risk reduction with regard to priority items identified under Article 15(2)(c). These targets may be intermediate or final. Member States shall use all necessary means designed to achieve these targets.

When drawing up and revising their National Action Plans, Member States shall take account of the health, social, economic and environmental impacts of the measures envisaged, of specific national, regional and local conditions and all relevant stakeholder groups. Member States shall describe in their National Action Plans how they will implement measures pursuant to Articles 5 to 15 in order to achieve the objectives referred to in the first subparagraph of this paragraph.



The National Action Plans shall take into account plans under other Community legislation on the use of pesticides, such as planned measures under Directive 2000/60/EC.

2. By ...[\(24\)](#) Member States shall communicate their National Action Plans to the Commission and to other Member States.

National Action Plans shall be reviewed at least every five years and any substantial changes to National Action Plans shall be reported to the Commission without undue delay.

#### *Article 15*

##### *Indicators*

1. Harmonised risk indicators as referred to in Annex IV shall be established. However, Member States may continue to use existing national indicators or adopt other appropriate indicators in addition to the harmonised ones.

Measures designed to amend non-essential elements of this Directive relating to amending Annex IV in order to take account of scientific and technical progress shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 21(2) .

2. Member States shall

- a) calculate harmonised risk indicators as referred to in paragraph 1 by using statistical data collected in accordance with Regulation (EC) No ... [concerning statistics on plant protection products] together with other relevant data;
- b) identify trends in the use of certain active substances;
- c) identify priority items, such as active substances, crops, regions or practices, that require particular attention or good practices that can be used as examples in order to achieve the objectives of this Directive to reduce the risks and impacts of pesticide use on human health and the environment and to encourage the development and introduction of integrated pest management and of alternative approaches or techniques in order to reduce dependency on the use of pesticides.

3. Member States shall communicate the results of the evaluations carried out pursuant to paragraph 2 to the Commission and to other Member States and shall make this information available to the public.

4. The Commission shall calculate risk indicators at Community level by using statistical data collected in accordance with Regulation (EC) No ... [concerning statistics on plant protection products] and other relevant data, in order to estimate trends in risks from pesticide use.

The Commission shall also use these data and this information to assess progress in achieving the objectives of other Community policies aimed at reducing the impact of pesticides on human health and on the environment.

The results shall be made available to the general public via the Internet portal referred to in Article 4(4).

## **D) Proposal for a Regulation of the European Parliament and of the Council concerning the placing of plant protection products on the market (ST 5188/09)**

### *Article 67*

#### *Record-keeping*

1. Producers, suppliers, distributors, importers, and exporters of plant protection products shall keep records of the plant protection products they produce, import, export, store, use or place on the market for at least five years. Professional users of plant protection products shall keep records of the plant protection products they use, containing the name of the plant protection product, the time and the dose of application, the area and the crop where the plant protection product was used, for at least three years.  
They shall make the relevant information contained in these records available to the competent authority on request. Third parties such as the drinking water industry, retailers or residents, may request access to this information by addressing the competent authority.  
The competent authorities shall provide access to such information in accordance with applicable national or Community law. By ...\*, the Commission shall present a report to the European Parliament and the Council on costs and benefits of the traceability of the information from users to retailers concerning the plant protection products' applications on agricultural products accompanied, if necessary, with appropriate legislative proposals.
2. Producers of plant protection products shall undertake post-authorisation monitoring on request of the competent authorities. They shall notify the competent authorities of the relevant results.
3. Authorisation holders shall provide the competent authorities of the Member States with all data relating to the volume of sales of plant protection products in accordance with Regulation (EC) No .../2009 of the European Parliament and the Council of ... concerning statistics on plant protection products.
4. Implementing measures to ensure the uniform application of paragraphs 1-3 may be adopted in accordance with the regulatory procedure referred to in Article 79(3).