



# THE OFFICIAL GAZETTE OF ROMANIA

Year 181 (XXV) – No 585

**PART I**  
**LAWS, DECREES, DECISIONS AND OTHER ACTS**

Monday, 16 September 2013

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**DECISIONS OF THE GOVERNMENT OF ROMANIA**

GOVERNMENT OF ROMANIA

**DECISION****approving the National Action Plan for mitigating the risks related to the use of plant protection products**

Pursuant to Article 108 of the Romanian Constitution, republished, and to Article 4 of Government Emergency Order No 34/2012 concerning the establishment of the institutional action framework for the sustainable use of pesticides on the Romanian territory, approved by Law No 63/2013,

**The Government of Romania** has adopted this decision:

Sole Article – The National Action Plan for mitigating the risks related to the use of plant protection products laid down in the annex that is an integral part of this decision is hereby approved.

Prime-Minister  
**Victor-Viorel PONTA**

Countersigned by:

Minister for Agriculture and Rural Development,

**Daniel CONSTANTIN,**

Vice-Prime Minister, Minister for Public Finances,

**Daniel CHIȚOIU,**

for the Minister Delegate for Budget,

**Gheorghe GHEORGHINA,**

Secretary of State

Minister for Health,

**Gheorghe-Eugen NICOLĂESCU,**

Minister for Environment and Sustainable Development,

**Rovana PLUMB,**

Minister Delegate for Waters, Forests and Fish Farming,

**Lucia Ana VARGA,**

Minister for Transport,

**Ramona-Nicolae MĂNESCU,**

Minister for Labour, Family, Social Protection and the Elderly

**Mariana CÂMPEANU,**

Minister for Economy

**Varujan VOSGANIAN**

Minister of Foreign Affairs,

**Titus CORLĂȚEAN**

Bucharest, 4 September 2013.  
No 683

ANNEX

## **NATIONAL ACTION PLAN for mitigating the risks related to the use of plant protection products**

### ABBREVIATIONS

a.s. – active substance  
AIPROM – Association of Plant Protection Industry in Romania  
ANF – National Plant Protection Agency  
ANPM – National Environmental Protection Agency  
ASAS – ‘Gheorghe Ionescu – Şişeşti’ Academy of Agricultural and Forestry Sciences  
BPMs – Best Practices in Management  
CNOPPP – National Committee for Plant Protection Product Approval  
CoRMS – Co-Rapporteur Member State  
DJA – County Directorate for Agriculture  
DSP – Public Health Directorate  
EC – European Community  
ECPA – European Crop Protection Association  
EEC – European Economic Community  
GNM – National Environmental Guard  
INCDPM – Research-Development National Institute for Environmental Protection  
LCRPPPV – Laboratory for the Control of Pesticide Residues in Plants and Products of Plant Origin  
LRMS – Local Rapporteur Member State  
MADR – Ministry of Agriculture and Rural Development  
MMSC – Ministry of Environment and Climate Change  
MS – Ministry of Health  
RMS – Rapporteur Member State  
SCUT – Project on fighting against the counterfeiting of plant protection products, the trade and use of counterfeit plant protection products  
SNPP – National Society for Plant Protection  
TOPPS – Training programme for operators on preventing pollution from intermittent sources  
UFJ – County Plant Health Unit  
USAMV – University of Agronomic Sciences and Veterinary Medicine in Bucharest

### **I. INTRODUCTION**

The international agricultural sector will face major challenges such as natural resources shortage, climate change and greenhouse gas emissions. Moreover, the population increase to 9 billion people by 2050 will determine a significant increase in the demand of food, feed and renewable resources.

In this context, the agriculture must become more efficient, and agricultural yield must be improved in order to meet the main objectives in the field and to mitigate the effects/impact generated by the global challenges.

An essential factor for yield increase and crop loss mitigation is the provision of crop protection by applying effective plant protection products that ensure high quality, cost-efficient and environment-friendly agricultural production.

Plant protection products are used to protect crop and products of plant origin against pests, illnesses and weeds, as well as to regulate the plant growing process.

Thus, the sustainable use of plant protection products, within the meaning of Government Emergency Order No 34/2012 concerning the establishment of the institutional action framework for the sustainable use of pesticides on the Romanian territory, approved by Law No 63/2013, is an essential objective for obtaining sustainable agricultural production and, implicitly, for ensuring a competitive agricultural system at European and international levels.

The competent authorities for drafting the National Action Plan for mitigating the risks related to the use of plant protection products, hereinafter referred to as *National Action Plan*, are the Ministry of Agriculture and Rural Development (MADR), the Ministry of Environment and Climate Change (MMSC), the Ministry of Health (MS) and ‘Gheorghe Ionescu – Şişeşti’ Academy of Agricultural and Forestry Sciences (ASAS).

The National Action Plan is a strategic document concerning the permanent improvement in the use of plant protection products and is drawn up in order to obtain a low impact on the consumers, users,

residents and passers-by, as well as on the aquatic and land ecosystems. It also envisages establishing an appropriate monitoring system for pesticide residues in food, drinking water and the environment.

The National Action Plan includes quantitative objectives (targets), measures and timetables to reduce risks and impacts of plant protection product use on human health and the environment.

The National Action Plan is intended to develop and implement the integrated pest management and encourages the introduction of plant protection products containing active substances of low concern, of alternative techniques in order to reduce the use of plant protection products and to optimise the control measures.

## II. LEGAL FRAMEWORK

In a context where compatibility of the national legislation with the European Union acquis in the area of plant protection must be ensured, Directive 2009/128/EC of the European Parliament and of the Council of 21 October 2009 establishing a framework for Community action to achieve the sustainable use of pesticides has been transposed in the national legislation by Government Emergency Order No 34/2012, approved by Law No 63/2013.

The National Action Plan has been drawn up pursuant to Article 4 of Government Emergency Order No 34/2012, approved by Law No 63/2013, and is intended to:

- a) establish the institutional framework to ensure sustainable use of plant protection products;
- b) reduce dependency on the use of plant protection products;
- c) reduce the risks and impacts of plant protection product use on human health and the environment;
- d) promote integrated pest management and alternative approaches or techniques, such as non-chemical methods when using plant protection products.

When completing the National Action Plan, the following legal provisions in force concerning the effects of the plant protection product use have also been taken into consideration: Water Law No 107/1996, as subsequently amended and supplemented, Law No 458/2002 on drinking water quality, republished, and Government Emergency Order No 57/2007 concerning the regime of protected natural areas, the conservation of natural habitats, of wild flora and fauna, approved as amended and supplemented by Law No 49/2011, as subsequently amended.

The implementation of the National Action Plan is aimed at aspects concerning the protection of public health and the environment, the sustainable agricultural practices and the protection of specific areas, the placing of plant protection products on the market, the requirements related to the precautionary principle and to the prohibition of aerial spraying, except for the cases laid down in Article 9 of Government Emergency Order No 34/2012, approved by Law No 63/2013, the introduction of an integrated pest management while also considering fertilizers, pursuant to the provisions of the following national and European legislative acts:

- a) Regulation (EC) No 1107/2009 of the European Parliament and of the Council of 21 October 2009 concerning the placing of plant protection products on the market and repealing Council Directives 79/117/EEC and 91/414/EEC;
- b) Council Directive 98/83/EC of 3 November 1998 on the quality of water intended for human consumption, transposed in the national legislation by Law No 458/2002, republished;
- c) Regulation (EC) No 396/2005 of the European Parliament and of the Council of 23 February 2005 on maximum residue levels of pesticides in or on food and feed of plant and animal origin and amending Council Directive 91/414/EEC;
- d) legislation concerning nature conservation – Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds and Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora, transposed into national legislation by Government Emergency Order No 57/2007, approved as amended and supplemented by Law No 49/2011, as subsequently amended. The implementation of the National Action Plan also contributes to achieving the objectives in the biodiversity area;
- e) Council Directive 91/676/EEC of 12 December 1991 concerning the protection of waters against pollution caused by nitrates from agricultural sources, transposed into national legislation by Government Decision No 964/2000 approving the Action Plan for the protection of waters against pollution caused by nitrates from agricultural sources, as subsequently amended and supplemented.

The implementation of the National Action Plan contributes to the mitigation of the effects due to climate change and to the reduction of the negative impacts in specific areas frequented by children and other vulnerable groups, in the context of the actions taken by the European Union to reduce the risks related to the exposure to chemical products, as well as to the achievement of the objective to mitigate illnesses caused by the environment factors as defined in the European Environment and Health Strategy.

## III. GENERAL OBJECTIVES

- A. Mitigation of the risk related to the use of plant protection products
- B. Optimisation of the use of plant protection products ensuring the quantitative and qualitative parameters of the agricultural production

For each objective, three main areas of measures are proposed in the following fields:

- a) protection of human health;
- b) environment protection, with focus on the protection of waters, biodiversity and the soil;
- c) regulation of issues related to the storage, marketing and use of plant protection products, and ensuring competitiveness of the Romanian agricultural sector.

The National Action Plan contains objectives and measures aimed at reducing the dependency on the chemical methods for the control of pests, illnesses and weeds, and thus providing the professional users (farmers) with specific information concerning the integrated management of pests and alternative non-chemical methods.

The reduction of the dependency on chemical methods for plant protection mitigates the impact of plant protection activities on the wild flora and fauna, as well as on biodiversity conservation, in particular by establishing concrete measures for the promotion of appropriate agri-environmental concepts, such as crop rotation, etc.

With regard to the reduction of the dependency on chemical methods for the control of pests, illnesses and weeds, the following must be considered:

- a) the farm revenues must not be affected by this process;
- b) the information exchange between the social partners in the field must be intensified and improved.

The main aspects aimed at reducing the risk related to the use of plant protection products are the protection of the consumers and farmers against the risks for health and the harmful effects resulted from the use of plant protection products, and the direct and indirect protection of the environment against the harmful effects of plant protection products in farms, along the water courses and in protected natural areas.

The National Action Plan also includes indicators to monitor the use of plant protection products containing active substances of particular concern, especially if alternative methods are available.

These indicators enable the assessment of the general and specific objectives concerning the sustainable use of plant protection products within the National Action Plan.

Moreover, the indicators enable measurement of the progress made in reducing the risk and the impact of plant protection product use, and ensure connection between the measures established in the National Action Plan.

The indicators presented in the National Action Plan may be analysed at farm/agricultural holding level as well as macro level, for instance, at the level of the agricultural sector.

The sustainability concept integrates three components, i.e. economic, environmental and social sustainability.

#### **A. Mitigation of the risk related to the use of plant protection products**

##### Specific objectives

##### **1. Mitigation of the risk related to the use of plant protection products for the operator**

##### Implementation method and effect assessment

The mitigation of the risk for the operator resulted from the use of plant protection products shall be achieved by promoting/disseminating best practice guides, by organising theoretical and practical training at local level, by carrying out controls at farms and at undertakings marketing plant protection products, as well as by applying the following measures:

- a) promotion of best agricultural practices (2013-2014);
- b) organisation of the certifying system for professional users, distributors and counsellors (2013-2014);
- c) strengthening the control system within the plant health network in order to check the compliance with the legal provisions and the implementation of the objectives of this National Action Plan (2013-2014);
- d) reorganisation of the approval system for the plant protection products in order to ensure access of farmers to plant protection products and agricultural techniques complying with the European Union rules in the area (2013-2015);
- e) monitoring the quality of the plant protection products placed on the market and fighting the marketing and use of illegal and counterfeit plant protection products (2013-2015).

The effectiveness of these measures shall be assessed by increasing the level of professionalism in the area of plant protection and especially of plant protection product use. The assessment information shall be collected by the plant health inspectors within the county plant health units (UFJ) and within the Bucharest plant health unit, and shall be reported annually using a questionnaire to be developed during the implementation of measure 1).

##### **Measure 1) Promotion of best agricultural practices**

One of the effective and accessible means to reduce the chemical exposure of the people (operators) who are in contact with the concentrated plant protection product during the preparation of the solution and of the reservoir of the equipment used to apply the plant protection products for professional use against illnesses and pests, hereinafter referred to as *application equipment*, is the mandatory use of personal protection equipment during work, according to the instructions for use.

The initiative of safe use of plant protection products is a project that has been initiated and financed by the European Crop Protection Association (ECPA) and implemented by the Association of Plant Protection Industry in Romania (AIPROM), under the patronage of the Ministry of Agriculture and Rural Development and with the support of the University of Agronomic Sciences and Veterinary Medicine in Bucharest (USAMV). The objectives of this project are the promotion of best practices in the use of plant protection products in order to reduce the chemical exposure of the people who use plant protection products, and the correct use of the plant protection products by promoting:

- a) the personal protection equipment mentioned on the label of the plant protection products;
- b) the appropriate application techniques for the plant protection products and the calibration of the application equipment;
- c) the application equipment that reduces the drift effect of sprayed products (special nozzles);
- d) correct and compliant management of the treatment formulation residues and of the empty packaging of the plant protection products.

The project started in 2010 by an analysis of the situation at the starting point (benchmarking). On the basis of this analysis, the main areas for the information campaign were identified.

The 2010 analysis revealed the following:

- a) most of the users collect best practices information by reading the product label and specialised magazines;
- b) the main elements the responders look for on the label are the information on personal safety when applying the products (68%), and the preparation instructions;
- c) a significant percentage of users (33%) mentioned that they did not read the specific safety instructions because these instructions were always the same, they knew them all, they had their own rules or simply they had no time.

In 2011, the AIPROM experts in cooperation with the experts of USAMV, of the National Plant Health Agency within the Ministry of Agriculture and Rural Development and of the local plant health units drafted the *Best practice guide for a safe use of plant protection products*.

This guide was promoted during the training activities intended for plant health inspectors working in the pilot areas selected for the project, and for inspectors invited from other county plant health units. During 2013-2014, the National Plant Health Agency within the Ministry of Agriculture and Rural Development shall support the project team in expanding at national level the promotion campaign for the best practice guide and the practical demonstrations of correct application of the plant protection products by:

- a) involving the plant health inspectors in disseminating the best practices recommended by the guide;
- b) including the guide in the recommended bibliography of the training and certification system.

**Measure 2) Organisation of the training and certifying systems for professional users, distributors and counsellors**

After establishing the training and certification systems pursuant to the provisions of Article 5 of Government Emergency Order No 34/2012, approved by Law No 63/2013, the competent authorities responsible for their implementation shall carry out the assessment of the training and certification needs at local and national level in order to allocate the resources necessary for the implementation of these systems.

The implementation of this measure implies the following:

- a) drawing-up the support material for the training programme for the topics laid down in Annex 1 to Government Emergency Order No 34/2012, approved by Law No 63/2013, by the competent authorities in cooperation with specialists of USAMV, ASAS, the National Society for Plant Protection (SNPP), AIPROM and/or of agricultural professionals associations and institutions subordinated to the signatory ministries;
- b) evaluation of the number of people who need access to training and certification pursuant to the provisions of Government Emergency Order No 34/2012, approved by Law No 63/2013, carried out by the competent authorities involved in the National Action Plan implementation process, namely the Ministry of Agriculture and Rural Development, the Ministry of Environment and Climate Change, the Ministry of Health and ASAS;
- c) organisation of sessions/campaigns for the promotion of good practices in the use of plant protection products;
- d) certification of the professional users, distributors and counsellors.

In this context, the training and advisory system to be established shall be in line with the requirements of the framework directive concerning the sustainable use of pesticides and with Government Emergency Order No 34/2012, approved by Law No 63/2013.

**Measure 3) Strengthening the control system within the national plant health network in order to check the compliance with the legal provisions and the implementation of the objectives of this National Action Plan**

The achievement of general objective A of this National Action Plan depends to a large extent on the capacity of the national plant health network, made up of the county and Bucharest plant health units, as well as of the local official control laboratories, to manage the implementation, monitoring and control activities.

According to the tasks established pursuant to the provisions of Law No 37/2006 concerning the reorganisation of plant protection and plant health quarantine, as subsequently amended and supplemented, the county plant health units and Bucharest plant health unit, through their plant health inspectors, are responsible for the implementation of the measures necessary in order to achieve the objectives of the National Action Plan, such as:

- a) control and enforcement of good practices and legal provisions concerning the storage, marketing and use of plant protection products in Romania;
- b) sampling of plant protection products within the national programme for monitoring the quality of plant protection products;
- c) sampling of plants and products of plant origin within the national programme for monitoring pesticide residues in plants and products of plant origin;
- d) monitoring the plant health status and improving the operation of the prognosis and warning system;
- e) advisory services in the plant health area.

Romanian agriculture is characterised by a very large number of agricultural holdings, namely 3 859 thousand farms (2010 data), by diverse sizes of these farms (for example the biggest agricultural holding in Romania, on the Great Brăila Island, has 56 132 ha, while the average used agricultural area/agricultural holding is 3.45 ha), by crop diversity/structure, and by very diverse levels of agricultural education among farmers.

**Measure 4) Reorganisation of the approval system for the plant protection products in order to ensure access of farmers to plant protection products and agricultural techniques complying with the European Union rules in the area**

The reduction of risks related to the use of plant protection products implies that the national approval process operates efficiently and in compliance with the European rules.

The national authority designated to approve the plant protection products is the National Committee for Plant Protection Product Approval (CNOPPP).

In accordance with the legal provisions in force, CNOPPP has the following relevant tasks in order to achieve the objectives of the National Action Plan:

- a) approval of the products that are object of assessment applications submitted according to the European procedure in accordance with Government Decision No 1559/2004 concerning the approval procedure for the plant protection products in order to place them on the market and use them in Romania, as subsequently amended and supplemented;
- b) approval of plant protection products in accordance with the provisions of Regulation (EC) No 1107/2009;
- c) reassessment of existing approvals and aligning them with the current European Union requirements concerning the approval and use of plant protection products;
- d) review of the approval certificates pursuant to the European Union legislation;
- e) participation in the reassessment process by work-sharing of existing approvals;
- f) participation in the zonal authorisation process as part of Romania's obligations as a European Union Member State;
- g) approval of plant protection products by applying the principle of mutual recognition of the plant protection products;
- h) granting the parallel trade permits;
- i) approval of a second trade name for a plant protection product already approved in Romania.

The time limit laid down in Government Decision No 1559/2004, as subsequently amended and supplemented, and in Regulation (EC) No 1107/2009 for the reassessment of an approval application is one year.

For the user to have access to the plant protection products in accordance with the requirements and provisions of the national and European legislation in force, and in order to minimise the risks associated with their use, it is necessary that the assessments in the specialised areas of the approval application, such as residues in food, toxicology, environmental behaviour, ecotoxicology, effectiveness, be made within the time limit laid down in the legislation and with appropriate professionalism.

Failure to review the approval and reapproval authorisations pursuant to the European Union requirements within the time limit leads to delays in the placing on the market of plant protection high technologies.

In order to meet the objectives of this National Action Plan and, in particular, the obligations laid down in Regulation (EC) No 1107/2009, Romania, as European Union Member State, takes part in the local and European authorisation process as Rapporteur Member State (RMS) or Co-Rapporteur Member State (CoRMS).

The current organisation of the approval system hinders the performance of the assessment activity, which imposes a reorganisation of the system, including for the case where Romania becomes a Rapporteur Member State or a Local Rapporteur Member State (LRMS).

Article 75(3) of Regulation (EC) No 1107/2009 defines obligations for the Member States, according to which:

'(3) Member States shall ensure that competent authorities have a sufficient number of suitably qualified and experienced staff so that the obligations laid down in this Regulation shall be carried out efficiently and effectively.'

There is no recommendation in the European Union concerning the minimum number of staff necessary to ensure that the assessment process is carried out in good conditions. The Czech Republic and the Netherlands carry out the assessment/authorisation activity using 40 and 75 people, respectively, who work exclusively on the authorisation process, while Romania only has 18 people currently involved in this process, without being exclusively dedicated to the assessment/authorisation activity.

The effectiveness of this measure shall be measured by evaluating the preparation level of Romania for participating in the European and local assessment process: increase in the number of assessors/specialised area and in the training level of the assessors.

#### **Measure 5) Monitoring the quality of the plant protection products placed on the market and fighting the marketing and use of illegal and counterfeit plant protection products**

An increased number of cases of marketing and use of counterfeit plant protection products was found in 2011-2012 and it is estimated that these products represent 5-7% of the total plant protection products placed on the European market. Moreover, Romania is on the eastern border of the European Union and may be an entry gate for counterfeit products. Consequently, it is very important to have clear and effective measures against people marketing and/or using such products.

The marketing and use of counterfeit products involve a risk for human health and the environment and have a negative impact on national economy, because of tax evasion and unfair competition with the plant protection products marketed in Romania.

The following actions are necessary to implement this measure:

a) revision of the legislative framework concerning the marketing and use of plant protection products, in particular Government Order No 41/2007 concerning the marketing of plant protection products and amending and repealing certain legislative acts in the plant health area, approved as amended and supplemented by Law No 28/2009, as subsequently amended, and Government Order No 4/1995 concerning the manufacturing, marketing and use of plant health products against illnesses, pests and weeds in agriculture and forestry, approved as amended by Law No 85/1995, as subsequently amended and supplemented, in order to toughen the measures laid down in the legislation against the people marketing and using counterfeit products or practicing illegal parallel trade;

b) cooperation with the General Inspectorate of the Romanian Police at both central and local levels in order to detect and manage adequately the counterfeiting cases;

c) strengthening the control capacity and intensifying the on-site inspection activity at farms, plant protection product warehouses and economic operators;

d) support of the campaign against counterfeit plant protection products initiated by AIPROM (the SCUT Project) and dissemination of communication materials promoting the fight against the spreading of plant protection product counterfeiting through the county and Bucharest plant health units;

e) cooperation with the National Customs Authority in order to prevent, detect and investigate concrete cases of counterfeiting;

f) increase in the number of active substances selected for the monitoring of plant protection products quality;

g) accreditation of laboratories for quality control of plant protection products within the plant health units of Arad, Bacău, Mureş and Olt.

Specific objective 1: Mitigation of the risk related to the use of plant protection products for the operator					
Measure	Risk mitigation indicator		Quantitative target	Responsible institutions	Time limits
1. Promotion of best agricultural	●	Number of participants at	Annual training of 1 000 people	MADR-ANF ASAS	2013-2014



Measure	Risk mitigation indicator	Quantitative target	Responsible institutions	Time limits	
practices		trainings			
	●	Number of trainings organised/UFJ/year	Two training sessions for the promotion of the best practice guide/UFJ/year	MADR-ANF	2013-2014
2. Organisation of the training and certifying systems for professional users, distributors and counsellors	■	Number of issued certificates	Certified operators	The responsible authorities shall be established pursuant to the provisions or Article 5 of Government Emergency Order No 34/2012, approved by Law No 63/2013	2013-2016
3. Strengthening the control system within the national plant health network in order to check the compliance with the legal provisions and the implementation of the objectives of this National Action Plan	■	Identification of the non-compliances cases related to plant protection products	Number of identified and checked cases	MADR-ANF GNM	2013-2014
	●	Training of the staff involved/specialised field	Two training sessions/year	MADR GNM MS ASAS	2013-2015
4. Reorganisation of the approval system for the plant protection products	●	Strengthening of the institutional capacity	Minimum three participations in trainings/seminaries organised by European institutions on topics specific to the responsibilities of each competent authority	MADR ANPM INCDPM MS	yearly
			Minimum three national trainings with experts as a follow up of European trainings ( <i>train the trainers</i> )	MADR ANPM MS	yearly
5. Monitoring the quality of the plant protection products placed on the market and fighting the marketing and use of illegal and counterfeit plant protection products	▲	Number of inspections concerning the marketing of plant protection products	25% of economic operators from the total number of registered economic operators are checked/year	MADR-ANF	2013-2015
	▲	Number of monitored	60% of a.s. from the total number of	MADR-ANF	2013-2015

Measure	Risk mitigation indicator	Quantitative target	Responsible institutions	Time limits
	products/a.s.	approved a.s. are monitored/year		
	• Accreditation of regional laboratories	Four accredited laboratories at local level: plant health units of Arad, Bacău, Mureş and Olt	MADR-ANF/DJA	2013-2015
	• Social indicator	▲ Economic indicator	■ Environmental indicator	

## 2. Mitigation of the risk related to the consumption of products with a high content of pesticide residues for the consumer

### Measures

- 1) Ensuring traceability in the marketing chain;
  - 2) Control of products of plant origin within the annual programmes for the monitoring of the pesticide residues in vegetables, fruit and cereals, in order to check compliance with the maximum permissible limits laid down in Regulation (EC) No 396/2005 of the European Parliament and of the Council of 23 February 2005;
  - 3) Detection and withdrawal from the market of non-compliant products – with pesticide residues content exceeding the maximum permissible limit;
  - 4) Intensification of the controls on the producers whose products were found to be non-compliant, in order to ensure correct use of the plant protection products, in particular the nozzles, correct number of treatments and appropriate withholding period;
  - 5) Intensification of the controls on the agricultural products that were found to present a non-compliance risk during previous controls, in particular products that frequently contain pesticide residues;
  - 6) Monitoring of as many active substances as possible;
  - 7) Correlation of the controls with the period where the product concerned is on the market in high quantities;
  - 8) Monitoring the products during the off season period too in order to check whether they are correctly stored;
  - 9) Strengthening the control and inspection capacity of the county and Bucharest plant health units in order to ensure increased sampling and to check the application method for the plant protection products used in farms;
  - 10) Application of effective and proportionate sanctions in case of non-compliance.
- The application of these measures shall result in increased consumer safety.

Specific objective 2: Mitigation of the risk for the consumer			
Risk mitigation indicators	Quantitative target	Responsible institutions	Time limits
Monitoring of active substances	Increase by 10% of the number of active substances monitored/year included in the annual national monitoring programme	MADR-ANF	yearly
Accreditation of official control laboratories at local level	1 laboratory accredited at local level (Dolj Plant Health Unit)	MADR-ANF/DJA	2013-2015

## B. Optimisation of the use of plant protection products ensuring the quantitative and qualitative parameters of the agricultural production

### Specific objectives

#### 1. Promotion of integrated pest management principles

##### Implementation method and effect assessment

- Measure 1) Establishing the conditions necessary to implement the integrated pest management (June 2013);**  
**Measure 2) Development of integrated pest management guidelines for specific crops or sectors and their promotion/dissemination (2013-2015);**  
**Measure 3) Development of the current prognosis and warning system (2013-2014);**  
**Measure 4) Development of the farm advisory system in the plant health area (2013-2017);**

**Measure 5) Setting up and maintaining an internet platform dedicated to training and communication on integrated pest management (2013-2017).**

The effectiveness of these measures shall be assessed by the increase in the level of professionalism in plant protection and, in particular, in safe use of plant protection products for human health and the environment.

The assessment data shall be collected by the plant health inspectors working in the county and Bucharest plant health units on the basis of a questionnaire to be drawn up during the implementation of measure 1). On the basis of this questionnaire, an evaluation of the situation shall be made at the starting point and after application of the measure mentioned above.

The National Action Plan enables all professional users to apply the general principles of the integrated pest management as defined in Annex 3 to Government Emergency Order No 34/2012 approved by Law No 63/2013.

The main objective of the integrated pest management is to use those practices and products that present the lowest risks for human health and for the environment.

Consideration should be given to developing an integrated pest management system that would also include independent advisory and training services concerning integrated pest management, such as lifelong training, in order to allow farmers to apply the agri-environmental knowledge and resources, as of 1 January 2014.

All stakeholders in the area must have access to training on integrated pest management.

In order to ensure good communication and implementation of the integrated pest management system, a dedicated webpage shall be set up on the website of the Ministry of Agriculture and Rural Development.

Specific objective 1: Promotion of integrated pest management principles			
Risk mitigation indicators	Quantitative target	Responsible institutions	Time limits
Number of farmers who access the internet platform dedicated to the integrated management and who ask for farm advisory services	Percentage of farmers who access the internet platform dedicated to the integrated management and who ask for farm advisory services	MADR-ANF	2013-2017

**2. Development of the training system for professional users, distributors and counsellors**Implementation method and effect assessment**Measure 1) Development of a unitary training platform and designation of the bodies that should ensure training and consider the current risks involved by the use of plant protection products (26 November 2013)**

As part of the supplementary training, the following specialised trainings shall be organised:

- mitigation of the environmental risk;
- good agricultural practices;
- integrated pest management.

The training and certification systems established pursuant to Article 5 of Government Emergency Order No 34/2012, approved by Law No 63/2013, shall regulate the following aspects:

- the accreditation method for the persons/organisations empowered to carry out these trainings;
- assessment and documentation system for the specific level of training;
- audit/control of the people/organisations empowered to carry out trainings within this system.

**Measure 2) Communication campaigns concerning the training programme and the obligation to acquire the minimum mandatory knowledge defined in Annex 1 to Government Emergency Order No 34/2012, approved by Law No 63/2013 (2013-2015)****Measure 3) Strengthening the control capacity of the county and Bucharest plant health units for them to apply an intense control programme pursuant to Annex 1 to Government Emergency Order No 34/2012, approved by Law No 63/2013 (2015-2017)**

The effectiveness of these measures shall be assessed by the percentage of people acquiring minimum knowledge from the total number of people who must prove having acquired the minimum knowledge on the topics laid down in Annex 1 to Government Emergency Order No 34/2012, approved by Law No 63/2013.

Moreover, the assessment of the effectiveness of these measures in reducing the risk related to the use of plant protection products as a consequence of the increased awareness of the related risks

and of the increased professionalism in using the plant protection products shall include the report concerning the behaviour of the plant protection product users with regard to:

- a) the adequate procedure for cleaning the application equipment;
- b) the use of the protection equipment when applying the plant protection products;
- c) preventing water source contamination while filling in/emptying the reservoirs of the application equipment;
- d) the handling of the plant protection product packaging;
- e) the disposal of the waste resulted from the use of plant protection products;
- f) understanding the information on the labels of the plant protection products;
- g) information concerning the accidental exposure of residents and passers-by;
- h) the correct calibration of the application equipment and the calibration frequency;
- i) the protection measures for pollinating insects;
- j) respecting the protection areas for surface waters in accordance with the requirements laid down in Law No 107/1996, as subsequently amended and supplemented.

### **3. Mitigation of the risk to contaminate the soil, the air, as well as the surface water and groundwater**

**Measure 1) Promoting good practices for avoiding pollution from intermittent and diffuse sources through the TOPPS/BRIDGE/PROWADIS/EOS projects (2013-2014)**

**Measure 2) Promoting the technology of reducing the drift of sprayed products, in particular the drift reducing nozzles, as measure for reducing both the water contamination risk and the risk for the operator and for biodiversity preservation (2013-2015)**

**Measure 3) Promotion of multifunctional protection areas, especially for agricultural areas on slopes and close to surface waters (2013-2015)**

**Measure 4) Checking the compliance with the requirements to set up protection areas and to protect specific areas (2013-2017)**

**Measure 5) Checking the compliance with the legal provisions concerning the storage of plant protection products and the management of waste and empty packaging of plant protection products (starting in 2013)**

**Measure 6) Optimising the used quantity of plant protection products by developing the current prognosis and warning system (2013-2015)**

**Measure 7) Reduction of the impact of plant protection product use on pollinating insects (2013-2015)**

**Measure 8) Organising a national inspection and certifying system for the application equipment (2013-2014)**

**Measure 9) Communication and awareness raising programmes (2014-2015)**

The measures mentioned within specific objective 3 refer to the following:

**Measure 1) Promoting good practices for avoiding pollution from intermittent and diffuse sources through the TOPPS/BRIDGE/PROWADIS/EOS projects (2013-2014)**

#### TOPPS Project

The TOPPS project (training for operators on preventing pollution from intermittent sources), which has been initiated and financed by the European Crop Protection Association, and implemented by the Association of Plant Protection Industry in Romania, is aimed at protecting the waters and the soil by promoting good practices in using the plant protection products in order to prevent pollution from intermittent sources. The objectives of the TOPPS project, which is intended for operators and for agricultural counsellors, are the following:

- 1) development of a set of best practices in management (BPMs) intended to the prevention of losses from intermittent sources;
- 2) development of BPM-based training material for counsellors;
- 3) BPMs dissemination to operators and counsellors by publications, presentations in conferences, stalls in agricultural fairs and demonstrative farms.

#### BRIDGE Project

This new project can be practically divided in three sub-projects:

- 1) Sustainable development of the TOPPS project

The aim of this sub-project has been to disseminate the information, to draft communication materials and to carry out training sessions in Romania.

- 2) PROWADIS

The PROWADIS project (Protecting Water from Diffuse Sources) shall enable expansion of the previous version of the TOPPS project to the diffuse sources, focusing on the management of the mitigation of pollution from diffuse sources of plant protection products by dripping/running off and drifting of the spraying products. The purpose of the project is to develop a comprehensive package of best practices in management for TOPPS and PROWADIS in order to manage the contamination of surface waters by plant protection products from intermittent and diffuse sources.

- 3) EOS Project

The EOS project (Environmentally Optimised Sprayers) is a project intended to identify and optimise the management possibilities for the application equipment.

Special attention should be paid to avoiding surface water and groundwater pollution by implementing the following measures:

- a) compliance with the provisions of Water Law No 107/1996, as subsequently amended and supplemented (respecting the protection areas);
- b) guides of best practices in management in order to prevent losses from intermittent and diffuse sources. These materials shall serve as reference support for the training of agricultural counsellors;
- c) training materials for operators set up on the basis of the guides mentioned under point b);
- d) dissemination concrete activities consisting in the exemplification of good practices in demonstrative farms with the invitation of the representatives of local and national competent authorities, professional users, operators, counsellors and specialised media.

**Measure 2) Promoting the technology of reducing the drift of sprayed products, in particular the drift reducing nozzles, as measure for reducing both the water contamination risk and the risk for the operator and for biodiversity preservation (2013-2015)**

The use of drift reducing nozzles shall be considered as mandatory and acknowledged as method for reducing the risk when using plant protection products. The users of plant protection products shall comply with and apply the risk reduction measures authorised upon approval of the products and mentioned on the label.

The use of these technologies for the reduction of sprayed product drift shall be promoted by the plant health inspectors and through the internet platform for the promotion of integrated pest management, and it shall be included as topic within the training programme.

**Measure 3) Promotion of multifunctional protection areas, especially for agricultural areas on slopes and close to surface waters (2013-2015)**

Special attention shall be paid to avoiding pollution of surface waters by applying appropriate measures concerning spraying drift and pesticide draining and leaking along water courses.

The sizes of the protection areas mainly depend on the soil characteristics and on the properties of the plant protection products, as well as on the agricultural characteristics of the areas concerned and are laid down in Annex 2 to Law No 107/1996, as subsequently amended and supplemented.

An appropriate management of the multifunctional protection areas offers the possibility to improve the environmental value and indicators for the agricultural areas, and thus ensures the possibility to carry out intensive and sustainable agriculture.

For this purpose, it is recommended to forbid the use of plant protection products in protection areas, in accordance with Article 16(2) of Law No 107/1996, as subsequently amended and supplemented.

The multifunctional protection areas must be acknowledged as an integral part of agricultural areas or lots, as they maintain the environmental balance and contribute to biodiversity preservation, namely the increase in the number of species, of pollinating insects, of hunting insects, as well as of other non-target bodies, ensuring corridors for the wild fauna, reducing runoffs and the risks of pollution with plant protection products of water sources that are adjacent to agricultural fields, and also avoiding the soil erosion phenomenon.

The multifunctional protection areas are a major component of the rural landscape, being important for the protection of natural resources such as water and soil, for biodiversity preservation and for obtaining sustainable and competitive agricultural products.

The various types of protection areas with multifunctional role among the agricultural parcels may be represented by herbal bands, bands of wild flowers as source of pollen and nectar for the pollinating insects or of seeds for birds.

Moreover, there are protection areas with role of natural barriers, such as forest belts, hedges, ditches. The interaction between this natural barrier and the adjacent protection area may be a biodiversity source.

Multifunctional protection areas may:

- a) significantly increase biodiversity;
- b) increase production yields as a consequence of better pollination;
- c) become habitats for small mammals and birds;
- d) be measures to ensure soil and water protection.

The protection areas established pursuant to the national legal provisions in force are a good solution for reducing the risk of contamination of surface waters with plant protection products, as well as for preserving biodiversity.

**Measure 4) Checking the compliance with the requirements to set up protection areas and to protect specific areas (2013-2017)**

a) The National Environmental Guard shall draw up working procedures to be used by its inspectors working in the county and Bucharest offices to check whether the protection areas established

upon approval of the plant protection products and mentioned on their label are respected. The result of these inspections shall be included in an annual monitoring report.

b) The application of plant protection products in the specified areas, established pursuant to the provisions of Article 12(3) of Government Emergency Order No 34/2012, approved by Law No 63/2013, especially in the case of protected natural areas, must be reduced to minimum or forbidden, in compliance with the provisions of Articles 28 and 28<sup>1</sup> of Government Emergency Order No 57/2007, approved as amended and supplemented by Law No 49/2011, as subsequently amended. For exceptional cases, where the use of plant protection products is necessary, the competent authorities laid down in Article 12(1) of Government Emergency Order No 34/2012, approved by Law No 63/2013, shall draw up specific procedures concerning the application of plant protection products in these areas intended to reduce the level of exposure of the population to the applied plant protection products.

**Measure 5) Checking the compliance with the legal provisions concerning the storage of plant protection products and the management of waste and empty packaging of plant protection products (starting in 2013)**

The main activities within Measure 5) refer to:

a) checking the compliance with the legal requirements concerning the storage of plant protection products and the management of waste from plant protection products and of empty packaging of plant protection products;

b) promoting a national system for the collection of waste from packaging of plant protection products that should ensure unitary requirements in accordance with both the legal provisions in force and the good practice guides for the safe use of plant protection products;

c) promoting triple rinse and collection through the national collection system set up by AIPROM. The empty packaging of the plant protection products that have been decontaminated by triple rinse become non-hazardous waste and are subject to collection and recovery by recycling and/or energy recovery through the collection schemes set up by the specialised industry;

d) checking compliance with the legal provisions concerning the setting up of stocks exceeding the users' need to use plant protection products;

e) checking compliance with the grace periods granted upon withdrawal of the plant protection products.

Appropriate communication and promotion of waste management related to plant protection products is very important in a context of developing a mandatory registration system for this waste.

Focus shall be put on communication to non-professional users of aspects related to safe handling and storing of plant protection products, as well as to recovery through recycling and/or energy recovery from packaging.

Checking of conformity with the specific legislation concerning the packaging and labelling of plant protection products shall be considered.

**Measure 6) Optimising the used quantity of plant protection products by developing the current prognosis and warning system (2013-2015)**

In order to optimise the quantity of plant protection products used at national level, with a view to ensuring efficient and economically viable protection of agricultural crops, the plant protection products must be applied only when strictly necessary, namely when the conditions for illness and/or pest occurrence are met.

Moreover, for a quicker access to information, it is necessary to set up an internet platform for publishing information on prognosis about illness and pest occurrence, as well as warnings about fighting them. This internet platform shall be developed in cooperation with agricultural professional associations.

**Measure 7) Reduction of the impact of plant protection product use on pollinating insects (2013-2015)**

Taking into consideration the drift effect of sprayed products, it is necessary to limit the use of aerial spraying to exceptional cases only and provided that the requirements laid down in Article 9 of Government Emergency Order No 34/2012, approved by Law No 63/2013, are complied with.

The pollinating insects, in particular the bees, are subject to special measures in the National Action Plan concerning their protection when applying plant protection products. In this context, the leaf application of insecticide products dangerous for pollinating insects shall comply with the following risk reduction measures:

a) do not apply on crops during blooming;

b) do not apply during the active season of the bees;

c) avoid applying during the blooming period of the weeds. Remove weeds before blooming;

d) remove or cover the hives during application and after the treatment;

e) before proceeding to leaf treatment in the crops, it is mandatory to advise the beekeepers in the area.

On the basis of a notification from the professional users, the local authorities, namely the county and Bucharest plant health units, shall inform, in writing, the beekeepers of the plant protection product application operations by aerial spraying, at least seven days before the application of these treatments.

In this context, specialised information tools may be used and developed, such as web pages, for supplying specific information concerning the plant protection products.

It is necessary to strengthen the control carried out by the plant health inspectors concerning the compliance with the risk reduction measures mentioned above, and to drastically sanction the people causing accidents by failing to comply with these measures (2013-2014), in particular:

a) ensuring a quality treatment of the seeds treated with insecticides by conditioning and selecting the seeds, by using appropriate equipment and technologies in order to reduce pollution and the emission of polluting dust when sowing, and thus ensuring environment protection, including for pollinating insects;

b) using deflector-type devices on the pneumatic sowing machines when sowing maize and sunflower, with the purpose to reduce the dust emission and the negative impact on the environment and the pollinating insects. For this purpose, the Ministry of Agriculture and Rural Development shall promote a draft government decision concerning the use of deflector-type pneumatic sowing machines for row crops (2014-2015).

The associated risks and the application frequency shall be taken into consideration when assessing the impact of plant protection application, as well as when measuring and managing the impact.

#### **Measure 8) Organising a national inspection and certifying system for the application equipment (2013-2014)**

The organisation and implementation of the inspection system for the application equipment shall be carried out pursuant to the provisions of Article 8 of Government Emergency Order No 34/2012, approved by Law No 63/2013.

Moreover, the mandatory inspections of the application equipment that is used by both professional users and non-professional users shall be carried out considering the provisions of Government Decision No 517/2011 amending and supplementing Government Decision No 1029/2008 concerning the conditions for placing these machines on the market.

The maintenance of the application equipment plays a significant role in reducing the adverse effects of the plant protection products on human health and the environment.

Moreover, the mandatory inspections of portable and hand equipment is an efficient means to ensure better protection of operators' health and safety in accordance with the provisions of Occupational Safety and Health Law No 319/2006, as subsequently amended.

In order to organise the inspection system, the following aspects shall be considered:

a) the county directorates for agriculture shall make an inventory of the application equipment and shall make this information available for the designated body;

b) the designated body shall send an application equipment inspection timetable to the National Plant Health Agency within the Ministry of Agriculture and Rural Development;

c) the designated body shall perform the inspection of the application equipment according to the timetable submitted to the National Plant Health Agency within the Ministry of Agriculture and Rural Development;

d) the designated body shall report the results of the inspections performed during the year to the National Plant Health Agency within the Ministry of Agriculture and Rural Development at the end of each calendar year;

e) the designated body shall enable annual audit carried out by the Ministry of Agriculture and Rural Development.

The effectiveness of these measures shall be assessed by the number of equipment inspected and certified/year, and by the conclusions of the annual audit carried out by the Ministry of Agriculture and Rural Development.

#### **Measure 9) Communication and awareness raising programmes (2014-2015)**

Pursuant to the provisions of Article 7(1) of Government Emergency Order No 34/2012, approved by Law No 63/2013, awareness raising campaigns shall be carried out for all social partners, in the context of development of the new system, by carrying out the following activities:

a) presenting relevant aspects concerning plant protection within specialised exhibitions;

b) organising seminars;

c) publishing on the internet and in specialised magazines;

d) radio/TV broadcasts, advertisement broadcasting.

Moreover, it is recommended to implement awareness raising and educational programmes for the farmers concerning the best agricultural practices, the advantages and disadvantages of integrated pest management, the use, storage and keeping of plant protection products, the carrying out of the specific activities and of communication-education campaigns for the public/consumer concerning the safe use of plant protection products.

In this context, a communication plan on plant protection products shall be drawn up for professional, non-professional users, consumers and citizens.

For public information purposes, a report concerning the results of the inspections carried out for the control of plant protection products upon marketing and use shall be published on the webpage of the Ministry of Agriculture and Rural Development annually.

Pursuant to the provisions of Article 7(2) of Government Emergency Order No 34/2012, approved by Law No 63/2013, the annual report concerning the cases of acute intoxications with plant protection products and the progress of chronic cases, if any, on the basis of the information collected in the year concerned shall be published on the webpage of the Ministry of Health.

Specific objective 3: Mitigation of the risk to contaminate the environment, the surface water and groundwater and the drinkable water sources				
Measure	Risk mitigation indicator	Quantitative target	Responsible institutions	Time limits
3) Promotion of multifunctional protection areas, especially for agricultural areas on slopes and close to surface waters	● Training of farmers in the area of multifunctional protection area management	500 trained farmers	MADR-ANF ANPM AIPROM	2014-2015
5) Checking the compliance with the legal provisions concerning the storage of plant protection products and the management of waste and empty packaging of plant protection products	▲ Number of inspections and controls at warehouses of plant protection products	Inspection of 5% of economic operators owning warehouses of plant protection products per year	GNM	yearly
7) Reduction of the impact of plant protection product use on pollinating insects	■ Monitoring of the intoxication cases among the bee population	For instance, a decrease by 10% of the intoxication cases among bee families	MADR	yearly
	● Number of awareness raising sessions for farmers and beekeepers concerning the importance of bee protection when applying plant protection products	1 session/year organised by UFJ	MADR-ANF ASAS AIPROM	2013-2015
9) Communication and awareness raising programmes	● Mortality and morbidity by acute intoxication with plant protection products among the general population	Incidence decrease to a value approaching the European Union average	MS	yearly
	● Number of communication and awareness raising sessions/campaigns for the social partners	3 sessions/campaigns organised by UFJ per year	MADR ANPM MS AIPROM	2014-2015
	● Social indicator	▲ Economic indicator	■ Environmental indicator	



#### **IV. IMPLEMENTATION AND MONITORING OF THE NATIONAL ACTION PLAN**

The Ministry of Agriculture and Rural Development, together with the Ministry of Health and ASAS, is responsible for implementing the activities within the National Action Plan concerning the monitoring of the achievement of the general and specific objectives, for taking the established measures, and for assessing the progress made. The Ministry of Environment and Climate Change shall act pursuant to the provisions of Government Decision No 48/2013 concerning the organisation and operation of the Ministry of Environment and Climate Change and amending certain legislative acts in the area of the environment and climate change, as subsequently amended and supplemented.

In this context, the Ministry of Agriculture and Rural Development shall organise an annual meeting for the assessment of the results registered following implementation of the National Action Plan, with the participation of the representatives of the competent authorities and the social partners in the field, and shall draft an assessment report to be endorsed by all the competent authorities following this meeting.

Depending on the evolutions of the European plant health legislation, especially the framework directive concerning the sustainable use of pesticides, and of the assessment process of the National Action Plan implementation, the Ministry of Agriculture and Rural Development shall initiate the process for revising and updating the National Action Plan and, implicitly, for amending and supplementing the government decision approving it.

At county level, the specific measures and actions concerning the training of the professional users, distributors and counsellors, the marketing of plant protection products, the monitoring of the activities related to the application of plant protection products by aerial spraying, the handling and storing of plant protection products and the treatment of packaging and waste of plant protection products within the National Action Plan are coordinated by the county directorates for agriculture – the county and Bucharest plant health units, the county agencies for environmental protection, the county offices of the National Environmental Guard and the public health directorates.

The Ministry of Agriculture and Rural Development shall periodically send reports concerning the implementation of the National Action Plan and its results to the Commission and to the other Member States.

The National Action Plan shall be available on the internet page of the Ministry of Agriculture and Rural Development.

#### **V. CONCLUSIONS**

The aim of the National Action Plan is to optimise the use of plant protection products in Romania, taking into consideration the implications for human health and environmental protection and also the socioeconomic implications.

The implementation of the specific provisions laid down in the National Action Plan must be correlated with other relevant objectives of the common agricultural policy, such as greening measures and agriculture intensifying actions, sectoral policies in the area of environment protection (water, soil and biodiversity), and human health policies.

The National Action Plan highlights specific objectives and measures pursuant to the provisions of Government Emergency Order No 34/2012, approved by Law No 63/2013, that are relevant for the following topics: training system for professional users/farmers, distributors and counsellors, marketing of plant protection products, aerial spraying of plant protection products and inspection of the application equipment, specific measures for the protection of the aquatic life, management of product use in specific areas, handling and storing of plant protection products, integrated pest management and running of communication and awareness raising programmes concerning the use of plant protection products.

An important element for achieving and measuring the general and specific objectives of the National Action Plan is the definition of risk indicators, in particular social, environmental and economic indicators, which enables periodic monitoring of the progress made during the implementation period of the National Action Plan.

In the context of the optimisation and reduction of the risks related to the use of plant protection products, it is recommended to promote alternative non-chemical techniques, such as the use of biological plant protection products or the increase of agricultural areas cultivated according to green techniques.

Depending on the results of the biannual assessments concerning the implementation of the National Action Plan, measures shall be taken to update the plan so as to comply with plant health requirements.