

HELLENIC REPUBLIC
MINISTRY OF RURAL DEVELOPMENT AND FOOD

UNOFFICIAL TRANSLATION
PART OF LAW 4036/2012

“Pesticide marketing, sustainable use and other provisions”



Related to the National Action Plan
for the Sustainable Use of Pesticides
-Consolidated version-

PESTICIDE DEPARTMENT

DIRECTORATE OF PLANT PRODUCE PROTECTION (C.N.A.)

MINISTRY OF RURAL DEVELOPMENT AND FOOD

**SECTION ONE
GENERAL PROVISIONS**

**Article 1
Scope - Subject**

1. Scope of the present law is:

a)....

b) The incorporation in the Greek laws of the provisions of 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, of the supplementary measures of the directive and the adoption of national measures in compliance with Directive requirements,

c) ...

**SECTION TWO
NECESSARY SUPPLEMENTARY MEASURES FOR THE IMPLEMENTATION OF REGULATION (EC) 1107/2009, THE
REGULATION (EC) 396/2005 AND THE DIRECTIVE 2009/128/EC**

**Article 2
Implementation area**

This part of the present law is applied to the pesticides that are plant protection products.

**Article 3
Coordinating National Authority**

1. The Plant Protection Produce Directorate of the Ministry of Rural Development and Food is designated as the Coordinating National Authority (CNA) for the implementation of the provisions of the following:
 - a. ...
 - b. ...
 - c. 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
2. The Coordinating National Authority is designated for the coordination of competent authorities regarding the implementation of the present law, the cooperation with EU Commission, with EFSA, with the competent Authorities of the other Member States, with the manufacturers, producers, farmers, professional users and other involved in pesticide matters.
3. By a Decree of the Minister of Rural Development and Food or a Common decree of the Minister of Rural Development and Food and the case by case responsible Minister the competent authorities for the implementation of the present law are designated as well as and their responsibilities.

Article 4: Authorization

Article 5: Scientific Pesticide Committee

Article 6: Authorization fees

**Article 7
Controls on plant protection products**

The C.N.A. is planning and coordinating annual or multiannual control programs of ppps in order to check if in practice the conditions of the authorizations and ensure the safety of users, consumers and environment.

Article 8

Control authorities and their responsibilities

1. Controls on plant protection products are implemented by the competent authorities of the Regions, Regional Unities and with parallel capability for controls by the Regional Centers for Plant Protection and Quality Control of the Ministry of Rural Development and Food.
The C.N.A. keeps registry of inspectors appointed by Regions, Regional Unities and Regional Centers for Plant Protection and Quality Control of Ministry of Rural Development and Food.

The C.N.A. sets a training system for controls on ppps. This training system consists on initial courses and ongoing education in order to acquire and update the competence of inspectors who are implementing the controls. This training program is been planned and applied according to the relevant national and EU legislation.

2. With the exception of specific laws for confidentiality, all persons or companies are obliged to cooperate with inspectors during controls and supplying any requested information.
3. For the purpose of controls and to prove any infringements, inspectors:
 - a. Have the legal power to control any kind of documentation related to manufacture and marketing of ppps and other company's documents, such as management or staff's e-mails regardless the way they are saved, and the place they are kept, and can take copies of them
 - b. Have the legal power to carry out investigations at the company's offices and the rest facilities and at the forwarding vehicles.
 - c. Have the legal power to seal the company's facilities or documentation, during the investigation up to what is required.
4. The relevant control order is supplied by the head of the control service and contains the scope of the control and the consequences for not cooperating with the inspectors.
5. Inspectors who are responsible for an investigation, are making a report, copy of which is given to the controlled company.
6. In case of not cooperating with the inspectors, administrative assistance can be asked by the police or justice. This assistance can be asked even in advance.

Article 9

Administrative sanctions for ppp infringements

1. If fake or misleading documents are submitted for the authorization of a ppp, or data known at the time of submission are hidden, or potentially harmful or unacceptable effects on humans, animal helath or environment are not notified according to article 56 of Regulation (EC) 1107/2009, a fine of 1,000 € up to 30,000 € is posed to the responsible and marketing of the ppp is prohibited for at least one year, depending on the severity of the case.
2. A fine of 10,000 € up to 50,000 € is posed to the responsible for importing, producing, packaging, forwarding or marketing not authorized ppps or active substances for the purpose of exporting to third countries or marketed to another Member State. Ppps are set under official detention and in case of imported ppps, they are re-exported to the country of origin, in case of EU origin, they are return to the MS of origin or destructed. All expenses are paid by the owner of the products.

3. A fine of 1,000 € up to 30,000 € is posed to the responsible for importing, producing, packaging, holding, forwarding, exchanging, marketing, using or advertizing not authorized ppps, or ppps which authorization has been recalled, or ppps not covered by a parallel import permit, or ppps not cover by a trial permit. Ppps are set under official detention and in case of imported ppps, they are re-exported to the country of origin, in case of EU origin, they are return to the MS of origin or destructed. All expenses are paid by the owner of the products.
4. In the case that unacceptable discrepancies are discovered to the guaranteed composition or the physicochemical properties in relation to those stated to the authorization dossier, a fine of 1,000 € up to 30,000 € is posed to the responsible person or company and marketing of the ppp can be prohibited for at least one year, depending on the severity of the case. The related quantity of the batch or the total quantity of the product if the batch cannot be identified is set under official detention and in case of imported ppps, they are re-exported to the country of origin, in case of EU origin, they are return to the MS of origin or destructed. All expenses are paid by the responsible.
5. In the case that unacceptable discrepancies are discovered to the label or package, relation to those stated to the authorization valid at the time of control, a fine of 300 € up to 50,000 € is posed to the responsible person or company and marketing of the ppp can be prohibited, depending on the severity of the case. The related quantity of the batch or the total quantity of the product if the batch cannot be identified is set under official detention and labeling or packaging is corrected. All expenses are paid by the responsible for the infringement.
6. A fine of 300 € up to 30,000 € is posed to the responsible for importing, holding, using, exchanging, forwarding or marketing even if it is without price, ppps later than the expiry date that can be concluded by the label of packaging. Ppps are set under official detention and destructed. All expenses are paid by the responsible for the infringement.
7. A fine of 300 € up to 30,000 € is posed to the responsible for advertising ppp to a not allowed media or in case that a pesticide advertisement includes information that are not in accordance to the ones in the relevant ppp authorization. Advertising material is set under official detention and its use is prohibited.
8. A fine of 1,000 € up to 50,000 € is posed to the responsible for placing on the market seeds treated with plant protection products not authorized in any Member State and the seed batch is taken out of market. All expenses are paid by the responsible for the infringement.
9. A fine of 1,000 € up to 10,000 € is posed to the responsible for placing on the market seeds treated with plant protection products without keeping the measures for marketing stated by the competent authority or without proper labeling and the seed batch is taken out of market. All expenses are paid by the responsible for the infringement.
10. A fine of 1,000 € up to 10,000 € is posed to the responsible for placing on the market seeds treated with plant protection products without keeping the measures for marketing stated by the Member State of origin or measures stated by the competent authority and the seed batch is set under official detention and taken out of market. All expenses are paid by the responsible for the infringement.
11. A fine of 1,000 € up to 10,000 € is posed to the responsible for placing on the market plant protection products containing macro-organisms not officially registered and the seed batch is taken out of market. All expenses are paid by the responsible for the infringement.
12. Anyone denies or delays by any manner the controls by the competent authority or denies to submit data or information or submits false data or information or hides data or information is punished with a fine of 1,000 € up to 50,000 €.

13. For any other infringement of the Regulation (EC) 1107/2009 and the implementation acts, a fine of 1,000 € up to 5,000 € is posed to the responsible.
14. In case of a second infringement from the same responsible:
 - a. The limits of fine are doubled and the second fine cannot be less than the double of the first fine.
 - b. Authorisation of the plant protection product is recalled for a time period of one to ten years
15. For the estimation of the fine, the following parameters are taken into account:
 - a. The risk caused by the infringement to human and environment.
 - b. The deviation from the authorization.
 - c. The consequences caused by the infringement
 - d. The repetition of the infringement. As repetition, it is considered the discovery of another same or similar infringement by the same person or company in a three years period, beginning from the date of issue of the previous decision for administrative sanctions.
16. The service that has made the investigation communicates with a document (with proven receipt) the infringement to the responsible, which is called to submit in writing his opinion in a 15 days period. After this period and regardless of submitting or not his opinion, the service forwards the file to the competent authority.
17. Fines are posed by decision of the Minister of Rural Development and Food, after a relevant proposal of the Coordinating National Authority (CNA). An authorization is recalled by decision of the Minister of Rural Development and Food.
18. If the owner of the bonded plant protection products refuses to destroy them, or to re-export them, or to return them to the Member State of origin, this work is made by the competent authority, with the cooperation of competent state services. All expenses are charged to the responsible.
19. Fines are assessed as public incomes and they are paid to the Account for Agriculture and Cattle Breeding. The competent Economic service of the Ministry of Rural Development and Food is responsible for the fine assessment.
20. With a Common Decision of the Minister of Rural Development and Food and the Minister of Development, Competitiveness and Shipping the fines of the present article can be readjusted.

Article 10

Punitive sanctions for ppp infringements

1. If fake or misleading documents are submitted for the authorization of a ppp, or data known at the time of submission are hidden, the responsible is punished with imprisonment for three months up to one year.
2. Imprisonment for three months up to one year is posed to the responsible for importing, producing, packaging, forwarding or marketing not authorized ppps or active substances for the purpose of exporting to third countries or marketed to another Member State.
3. Imprisonment for three months up to one year is posed to the responsible for importing, producing, packaging, holding, forwarding, exchanging, marketing, using or advertizing not authorized ppps, or ppps which authorization has been recalled, or ppps not covered by a parallel import permit.
4. In the case that unacceptable discrepancies are discovered to the guaranteed composition or the physicochemical properties in relation to those stated to the authorization dossier, the responsible is punished with imprisonment for three months up to two years.

5. In the case that unacceptable discrepancies are proved to the label or package, relation to those stated to the authorization valid at the time of control, the responsible is punished with imprisonment for three months up to one year.
6. Imprisonment for three months up to one year is posed to the responsible for importing, holding, using, exchanging, forwarding or marketing even if it is without price, ppps later than the expiry date that can be concluded by the label of packaging.
7. Anyone denies or delays by any manner the controls by the competent authority or denies submitting data or information or submits false data or information or hides data or information is punished with imprisonment for three months up to one year.
8. For second infringements, Punitive Law Code is applied.

Article 11: Responsible for sanction persons

Article 12: Pesticide residue controls

Article 13: Administrative sanctions for pesticide residue infringements

Article 14: Punitive sanctions for pesticide residue infringements

SECTION THREE: TRANSPOSITION OF DIRECTIVE 2009/128/EC TO NATIONAL LEGISLATION

PART ONE

IMMEDIATE IMPLEMENTATION MEASURES OF DIRECTIVE 2009/128/EC

Chapter A' GENERAL PROVISIONS

Article 15 (article 1 of directive 2009/128/EC)

Subject matter

The present part of the law establishes provisions to achieve a sustainable use of pesticides by reducing the risks and impacts of pesticide use on human health and the environment and promoting the use of integrated pest management and of alternative approaches or techniques such as non-chemical alternatives to pesticides.

Article 16 (article 2 of directive 2009/128/EC)

Scope

1. Provisions of the present part apply to pesticides that are plant protection products as defined in point 10(a) of Article 17,
2. By stretching the provision of the present law precautionary principle can be applied in restricting or prohibiting the use of pesticides in specific circumstances or areas.

Article 17 (article 3 of directive 2009/128/EC)

Definitions

For the implementation of the third part of the present law, the following definitions are valid:

1. "professional user" means any person who uses pesticides in the course of their professional activities, including operators, technicians, employers and self-employed people, both in the farming and other sectors;
2. "distributor" means any natural or legal person who makes a pesticide available on the market, including wholesalers, retailers, vendors and suppliers;
3. "advisor" means any person who has acquired adequate knowledge and advises on pest management and the safe use of pesticides, in the context of a professional capacity or commercial service, including private self-employed and public advisory services, commercial agents, food producers and retailers where applicable;
4. "pesticide application equipment" means any apparatus specifically intended for the application of pesticides, including accessories that are essential for the effective operation of such equipment, such as nozzles, manometers, filters, strainers and cleaning devices for tanks;
5. "aerial spraying" means application of pesticides from an aircraft (plane or helicopter);
6. "integrated pest management" means careful consideration of all available plant protection methods and subsequent integration of appropriate measures that discourage the development of populations of harmful organisms and keep the use of plant protection products and other forms of intervention to levels that are economically and ecologically justified and reduce or minimise risks to human health and the environment;
7. "risk indicator" means the result of a method of calculation that is used to evaluate risks of pesticides on human health and/or the environment;
8. "non-chemical methods" means alternative methods to chemical pesticides for plant protection and pest management, based on agronomic techniques as well as physical, mechanical or biological pest control methods;
9. the terms "surface water" and "groundwater" have the same meaning as in law 3199/2003 (A'280) in compliance to Directive 2000/60/EC;
10. "pesticide" means:
 - (a) a plant protection product as defined in Regulation (EC) No 1107/2009;
 - (b) a biocidal product as defined in Presidential Decree 205/2001 (A'160) in compliance to Directive 98/8/EC.

Article 18
(article 4 of directive 2009/128/EC)
National Action Plans

1. The National Action Plan is set for defining quantitative and other 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 worker protection, protection of the environment, residues, use of specific techniques or use in specific crops.

The National Action Plans also include risk indicators to monitor the use of plant protection products containing active substances of particular concern, especially if alternatives are available. Special attention is given to the plant protection products containing active substances approved in accordance with Presidential Decree 115/1997 in compliance to the Council Directive 91/414/EEC of 15 July 1991 which, when subject to

renewal of approval under Regulation (EC) No 1107/2009 will not fulfill the criteria relevant for approval laid down in Annex II, points 3.6 to 3.8 of that Regulation, regarding to their consequences to human health, environmental fate and behavior and ecotoxicity.

On the basis of such indicators and taking into account where applicable, the targets related to the risk or use reduction targets achieved already prior to the application of the present law, timetables and targets for the reduction of use shall also be established, in particular if the reduction of use constitutes an appropriate means to achieve risk reduction with regard to priority items identified under in paragraph 2, Article 26. All necessary means designed to achieve these targets are used.

When drawing up and revising the National Action Plans, the health, social, economic and environmental impacts of the measures envisaged, specific national, regional and local conditions and all relevant stakeholder group opinion are taken account. The National Action Plans describe how they will implement measures pursuant to Articles 16 to 26 in order to achieve the objectives referred to in the first subparagraph of the first paragraph of the present article.

The National Action Plans take into account plans provided in other provisions related to the use of pesticides, such as planned measures under law 3199/2003 (A'280) in compliance to the Directive 2000/60/EC.

2. The C.N.A. communicates the National Action Plans to the Commission and to other Member States until 14 December 2012.

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

CHAPTER B' **TRAINING, SALES OF PESTICIDES, INFORMATION AND AWARENESS-RAISING**

Article 19 **(article 5 and Annex I of directive 2009/128/EC)** **Training**

1. C.N.A. take the necessary measures in order all professional users, distributors and advisors to have access to appropriate training by bodies designated decision of the Minister of Rural Development and Food. This shall consist of both initial and additional training to acquire and update knowledge as appropriate. The training is designed such a way to ensure that such users, distributors and advisors acquire sufficient knowledge, taking account of their different roles and responsibilities. Training subjects are provided in Annex B.
2. By 14 December 2013, certification system is established. These certificates shall, as a minimum, provide evidence of sufficient knowledge of the subjects listed in Annex B acquired by professional users, distributors and advisors either by undergoing training or by other means. Certification systems include requirements and procedures for the granting, renewal and withdrawal of certificates.

Article 20 **(article 6 of directive 2009/128/EC)** **Requirements for sales of pesticides**

1. Inland distributors are obliged to employ sufficient staff in their employment holding a certificate referred to paragraph 2 of article 19. Such persons shall be available at the time of sale to provide adequate information to customers as regards pesticide use, health and environmental risks and safety instructions to manage

those risks for the products in question according to the Common Ministerial Decision 265/2002 (B'1214) in compliance to the Directive 1999/45/EC.

2. Pesticide sales authorised for professional use are restricted to persons holding a certificate referred to paragraph 2 of article 19.
3. Distributors selling pesticides to non-professional users are obliged to provide general information regarding the risks for human health and the environment of pesticide use, in particular on hazards, exposure, proper storage, handling, application and safe disposal in accordance with Community legislation on waste, as well as regarding low-risk alternatives. Pesticide producers are obliged to provide such information.
4. The measures provided for in paragraphs 1 and 2 are valid by 14 December 2015.

Article 21
(article 7 of directive 2009/128/EC)
Information and awareness-raising

1. C.N.A. adopts measures to inform the general public and to promote and facilitate information and awareness-raising programs and the availability of accurate and balanced information relating to pesticides for the general public, in particular regarding the risks and the potential acute and chronic effects for human health, non-target organisms and the environment arising from their use, and the use of non-chemical alternatives.
2. C.N.A. takes care of establishing systems for gathering information on pesticide acute poisoning incidents, as well as chronic poisoning developments where available, among groups that may be exposed regularly to pesticides such as operators, agricultural workers or persons living close to pesticide application areas.
3. C.N.A. follows relative recommendations of the Commission of the European Union, for the presentation of the information on monitoring and surveying of impacts of pesticide use on human health and the environment.

CHAPTER C'
PESTICIDE APPLICATION EQUIPMENT

Article 22
(article 8 and Annex II of directive 2009/128/EC)
Inspection of pesticide application equipment in use

1. The Directorate for Land Improvement Works Development and Mechanical Facilities is defined as the competent authority for the regular inspection of the professional pesticide application equipment. The interval between inspections is five years until 2020 and three years thereafter.
2. By 26 November 2016, pesticide application equipment has been inspected at least once. After this date only pesticide application equipment having successfully passed inspection shall be in professional use.
New equipment is inspected at least once within a period of five years after purchase.
3. By way of derogation from paragraphs 1 and 2 and, following a risk assessment for human health and the environment including an assessment of the scale of the use of the equipment, may:
 - a) apply different timetables and inspection intervals to pesticide application equipment not used for spraying pesticides, to handheld pesticide application equipment or knapsack sprayers and to additional pesticide application equipment that represent a very low scale of use, which shall be listed in the National Action Plan provided in the article 18 of the present law.

The following additional pesticide application equipment shall never be considered as constituting a “very low scale of use”:

- (i) spraying equipment mounted on trains or aircraft;
 - (ii) boom sprayers larger than 3 m, including boom sprayers that are mounted on sowing equipment;
- b) exempt from inspection handheld pesticide application equipment or knapsack sprayers. In this case the competent authority of paragraph 1 ensures that operators have been informed of the need to change regularly the accessories, of the specific risks linked to that equipment, and that operators are trained for the proper use of that application equipment in accordance with Article 19.
4. The inspections verify that pesticide application equipment satisfies the relevant requirements listed in Annex C, in order to achieve a high level of protection for human health and the environment.
Pesticide application equipment complying with harmonised by the Commission of the European Union standards is presumed to comply with the essential health and safety and environmental requirements.
5. Professional users conduct regular calibrations and technical checks of the pesticide application equipment in accordance with the appropriate training received as provided for in article 19.
6. The bodies responsible implementing the inspection systems are designated by a decision of the Minister of Rural Development and Food after a proposal of the competent authority of paragraph 1 and the Commission is informed thereof. With the same procedure certificate systems are established, designed to allow the verification of inspections and recognise the certificates granted in other Member States following the requirements referred to in paragraph 4 and where the time period since the last inspection carried out in another Member State is equal to or shorter than the time period of the inspection interval applicable in Greece. The aim is to recognise the certificates issued in other Member States provided that the inspection intervals referred to in paragraph 1.

CHAPTER D’ SPECIFIC PRACTICES AND USES

Article 23 (article 9 of directive 2009/128/EC) Aerial spraying

1. Aerial spraying is prohibited in Greece.
2. By way of derogation from paragraph 1 aerial spraying may only be allowed in special cases provided the following conditions are met:
 - (a) there must be no viable alternatives, or there must be clear advantages in terms of reduced impacts on human health and the environment as compared with land-based application of pesticides;
 - (b) the pesticides used must be explicitly approved for aerial spraying following a specific assessment addressing risks from aerial spraying;
 - (c) the operator carrying out the aerial spraying must hold a certificate as referred to in Article 19(2). During the transitional period where certification systems are not yet in place, C.N.A. may accept other evidence of sufficient knowledge;
 - (d) the enterprise responsible for providing aerial spray applications shall be certified by the competent in Greece authority for authorizing equipment and aircraft for aerial application of pesticides;

- (e) if the area to be sprayed is in close proximity to areas open to the public, specific risk management measures to ensure that there are no adverse effects on the health of bystanders shall be included in the approval. The area to be sprayed shall not be in close proximity to residential areas;
 - (f) as from 2013, the aircraft shall be equipped with accessories that constitute the best available technology to reduce spray drift.
3. C.N.A. establishes the specific conditions by which aerial spraying may be carried out, for examining requests pursuant to paragraph 4 and for making public information on crops, areas, circumstances and particular requirements for application including weather conditions where aerial spraying may be allowed.
C.N.A. issues approval, where specifies the measures necessary for warning residents and bystanders in due time and to protect the environment in the vicinity of the area sprayed.
4. The professional user wishing to apply pesticides by aerial spraying submits in due time a request for approval of an application plan to C.N.A. accompanied by evidence to show that the conditions referred to in paragraphs 2 and 3 are fulfilled. The request for application of aerial spraying in accordance with the approved application plan is submitted in due time to C.N.A. It contains information about the provisional time of spraying and the amounts and the type of pesticides applied. C.N.A. replies positive or negative in two months time from the date of submission of the request for application. In case that the two months time has expired without an answer from C.N.A., the request is considered to be rejected.
5. C.N.A. establishes that the conditions referred to in paragraphs 2 and 3 are met by conducting appropriate monitoring.
6. C.N.A. keep records of the requests and approvals as referred to in paragraph 4 and shall make available to the public the relevant information contained therein such as the area to be sprayed, the provisional day and time of the spraying and the type of pesticide, in accordance with the applicable national or Community law.

Article 24
(article 10 of directive 2009/128/EC)
Information to the public

The National Action Plan includes on informing persons who could be exposed to the spray drift.

Article 25
(article 11 of directive 2009/128/EC)
Specific measures to protect the aquatic environment and drinking water

1. C.N.A. establishes the set up of appropriate measures to protect the aquatic environment and drinking water supplies from the impact of pesticides are adopted. Those measures shall support and be compatible with relevant provisions of the relevant provisions of law 3199/2003 (A'280), in compliance to the Directive 2000/60/EC and Regulation (EC) No 1107/2009.
2. The measures provided in paragraph 1 include:
- a. giving preference to pesticides that are not classified as dangerous for the aquatic environment pursuant to the Common Ministerial Decision 265/2002 (B'1214) in compliance to the Directive 1999/45/EC nor containing priority hazardous substances as set out in the law 3199/2003 (A'280) in compliance to the Directive 2000/60/EC;

- b. giving preference to the most efficient application techniques such as the use of low-drift pesticide application equipment especially in vertical crops such as hops and those found in orchards and vineyards;
- c. use of mitigation measures which minimise the risk of off-site pollution caused by spray drift, drain-flow and run-off. These shall include the establishment of appropriately-sized buffer zones for the protection of non-target aquatic organisms and safeguard zones for surface and groundwater used for the abstraction of drinking water, where pesticides must not be used or stored;
- d. reducing as far as possible or eliminating applications on or along roads, railway lines, very permeable surfaces or other infrastructure close to surface water or groundwater or on sealed surfaces with a high risk of run-off into surface water or sewage systems.

Article 26

(article 12 of directive 2009/128/EC)

Reduction of pesticide use or risks in specific areas

Having due regard for the necessary hygiene and public health requirements and biodiversity, or the results of relevant risk assessments, C.N.A. ensures that the use of pesticides is minimised or prohibited in certain specific areas. Appropriate risk management measures are taken and the use of low-risk plant protection products as defined in Regulation (EC) No 1107/2009 and biological control measures are considered in the first place. The specific areas in question are:

- (a) areas used by the general public or by vulnerable groups as defined in Article 3 of Regulation (EC) No 1107/2009, such as public parks and gardens, sports and recreation grounds, school grounds and children's playgrounds and in the close vicinity of healthcare facilities;
- (b) protected areas as defined in the law 3199/2003 (A'280) in compliance to the Directive 2000/60/EC or other areas identified for the purposes of establishing the necessary conservation measures in accordance with the provisions of the Common Ministerial Decision 414985/85 (B'757) as modified by the Common Ministerial Decisions 366599/1996 (B'1188) and 294283/1997 (B'68) in compliance to the Directive 79/409/EEC and the Common Ministerial Decision 33318/1998 in compliance to the Directive 92/43/EEC;
- (c) recently treated areas used by or accessible to agricultural workers.

Article 27

(article 13 of directive 2009/128/EC)

Handling and storage of pesticides and treatment of their packaging and remnants

1. C.N.A. establishes the adoption of the necessary measures to ensure that the following operations by professional users and where applicable by distributors do not endanger human health or the environment:
 - a. storage, handling, dilution and mixing of pesticides before application;
 - b. handling of packaging and remnants of pesticides;
 - c. disposal of tank mixtures remaining after application;
 - d. cleaning of the equipment used after application;
 - e. recovery or disposal of pesticide remnants and their packaging in accordance with the relevant legislation on waste.

2. C.N.A. establishes the adoption of the necessary measures regarding pesticides authorised for non-professional users to avoid dangerous handling operations. These measures may include use of pesticides of low toxicity, ready to use formulations and limits on sizes of containers or packaging.
3. C.N.A. establishes the adoption of the necessary measures to ensure that storage areas for pesticides for professional use are constructed in such a way as to prevent unwanted releases. Particular attention is paid to location, size and construction materials.

Article 28
(article 14 and Annex III of directive 2009/128/EC)
Integrated pest management

1. The Ministry of Rural Development and Food takes of the necessary measures to promote low pesticide-input pest management, giving wherever possible priority to non-chemical methods, so that professional users of pesticides switch to practices and products with the lowest risk to human health and the environment among those available for the same pest problem. Low pesticide-input pest management includes integrated pest management as well as organic farming according to Council Regulation (EC) No 834/2007 of 28 June 2007 on organic production and labelling of organic products.
2. The Ministry of Rural Development and Food establishes or supports the establishment of necessary conditions for the implementation of integrated pest management. In particular, they shall ensure that professional users have at their disposal information and tools for pest monitoring and decision making, as well as advisory services on integrated pest management.
3. The C.N.A. reports to the Commission on the implementation of paragraphs 1 and 2 and, in particular, whether the necessary conditions for implementation of integrated pest management are in place by 30 June 2013.
4. National Action Plan describes how it is ensured that the general principles of integrated pest management as set out in Annex D are implemented by all professional users by 1 January 2014.
5. The Ministry of Rural Development and Food establishes appropriate incentives to encourage professional users to implement crop or sector-specific guidelines for integrated pest management on a voluntary basis. Public authorities and/or organisations representing particular professional users may draw up such guidelines. The Ministry of Rural Development and Food refer to those guidelines that are considered relevant and appropriate in the National Action Plan.

CHAPTER E'
INDICATORS, REPORTING AND INFORMATION EXCHANGE

Article 29
(article 15 and Annex IV of directive 2009/128/EC)
Indicators

1. The C.N.A. use harmonised risk indicators, established by the Commission of the European Union, as referred to in Annex IV. However, competent authority may continue to use existing national indicators or adopt other appropriate indicators in addition to the harmonised ones.
2. The C.N.A.:

- (a) calculates harmonized risk indicators as referred to in paragraph 1 by using statistical data collected in accordance with the Regulation 1185/2009 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. The competent authority communicates the results of the evaluations carried out pursuant to paragraph 2 to the Commission and to other Member States and makes this information available to the public.

CHAPTER F' FINAL PROVISIONS

Article 30 (article 17 of directive 2009/128/EC) Penalties

The sanctions provided in the articles 45 and 46 of the present law are implemented to the responsible persons for infringements of articles 15-29.

The C.N.A. is obliged to notify those provisions to the Commission by 14 December 2012 and to notify it without delay of any subsequent amendment.

Article 31 (article 19 of directive 2009/128/EC) Fees and charges

1. A reciprocal fee is established paid to the Central Cashier of the Ministry of Rural Development and Food associated with any work pursuant to obligations under the article of the present law by means of a fee or charge.
2. The C.N.A. ensures that the fee or charge referred to in paragraph 1 is established in a transparent manner and corresponds to the actual cost of the work involved.

SECTION TWO NATIONAL COMPLIANCE MEASURES TO REQUIREMENTS OF DIRECTIVE 2009/128/EC

Article 32 National Action Plans drawing up

1. Common Ministerial Decision of the Minister of Rural Development and Food, the Minister of Environment, Energy and Climate Change and the Minister of Health establishes National Action Plan for the implementation of Directive 2009/128/EC for human health and environment protection.
2. A committee for the submission of National Action Plan proposal is set in less than two months from the publication of the present law by a decision of the Minister of Rural Development and Food. The following are participating to the committee: Ministry of Rural Development and Food, other competent Ministries,

Organizations and Institutions, scientists with special knowledge, farmer's representatives, distributors and pesticide producers, food processors and distributors, O.K.E., environmental and consumer organizations. The committee compiles a National Action Plan proposal in less than five months from the date that it was established. The Coordinating National Authority coordinates committee operation. The National Action Plan proposal is laid to public consultation for a month time and afterwards the Common Ministerial Decision of the paragraph 1 is issued.

3. C.N.A is responsible to draw up and monitor the implementation of the National Action Plan, its review and its communication to European Council.
4. The results from the evaluation of statistical data received by the implementation of the pesticide sale procedure provided in article 36 plan are taken into account in addition to those mentioned in article 18; The National Action also comprises measures to encourage integrated pest management and actions for information to humans that can be exposed to spray drift.
5. The fees for funding National Action Plans, the procedure for their payment, as well as their readjust are defined by a common Ministerial Decision of the Minister of Rural Development and Food and the Minister of Regional Development and Competition.

Article 33

Training program on sustainable use of pesticides

1. A training program on sustainable use of pesticides is established, to which all professional users, distributors and advisors have access, taking account of their different roles and responsibilities. This training consists of both initial and additional training to acquire and update knowledge as appropriate.
2. C.N.A. in cooperation with other competent authorities of the Ministry of Rural Development and Food as well as legal entities of the Ministry draw up training programs on sustainable use of pesticides.
3. The training material is certified according to relevant notion and community provisions.
4. Certification procedure is defined up to 26 November 2013 the latest by a decision of the Minister of Rural Development and Food; The certificates provide evidence of sufficient knowledge of the subjects on sustainable use of pesticides.

Article 34: Pesticide plants registry.

Article 35

Pesticide Sales

1. Pesticide sales are allowed only by special shops which fulfill specific standards and employ responsible scientist.
2. The competent authorities for the control of the above requirements are the Directorates of Rural Economy and Veterinary Medicine of the local Regional Units of Regions.
3. Pesticide sales are distinguished to retailers and wholesalers. During the announcement of starting selling pesticides and the submission of the requested documentation, applicants should declare: the type of pesticide sale, name and tax number of the company (physical or legal entity) selling pesticides, address of the company and of the storing facilities and the responsible scientist. The competent authority can, in three (3) months time, prohibit selling, in case legal requirements are not fulfilled or if the submitted documentation does not fulfill the legal requirements. Applicants can freely sell pesticides after the three months period, provided that the above prohibition is not issued and earlier if the competent authority informs them by paper that they fulfill the legal requirements. Pesticide sales are forbidden without a

relevant announcement to the competent authority and a three months time or without the receipt of the above mentioned confirmation for fullness as well as in case of sales prohibition by the competent authority.

4. The C.N.A. keeps registry of pesticide sellers companies, which is published to its internet site. Every pesticide seller grants a special code by C.N.A.
5. The pesticide wholesaling is allowed to applicants that have submitted to the competent authority the necessary documentation and is addresses to other wholesalers or retailers.
6. The selling of either substances according to Regulation (EC) 1107/2009 or preparations among registration holders should be notified to the competent authority. Selling pesticides to shops that are no in accordance with the requirements of the present article is forbidden.
7. The responsible in the retailers is obliged to provide general information as regards health and environmental risks caused by the pesticide use, especially regarding risk sources, user exposure, proper storage, handling, application and safe disposal, as well as regarding low-risk alternatives.
8. The continuous and personal employment of responsible scientist in pesticide sales shop is required for retailers and wholesalers.
9. The responsible scientist is forbidden to have any other professional activity which requires personal appearance.
10. The pesticide sales competent authority publishes and reviews internet site with the pesticide sales requirements, sales professionals, shops address and relative responsible scientists and notifies the respective data to C.N.A. within 15 days.
11. Pesticide sales inspectors are defined with decision of local competent authorities.
12. The pesticide sellers are obliged to cooperate with the competent control authorities, to inform immediately for each change of the declared to the competent authority data and allow access in every place where pesticides are stored or marketed.
13. As responsible scientists are defined: Agronomists holding university degree and for degree holders by a Technical Education Institute, what is provided to relative articles of Presidential Decree 109/1989.

Modification 9 May 2013 made by Law 4152/2013 (A'107)

4. Paragraph 13 of article 35 of law 4036/2012 (A'8) is modified as following:

“13. As responsible scientists are defined: Agronomists holding university degree and for degree holders by a Technical Education Institute, what is provided to relative articles of Presidential Decree 109/1989, of Greece, or holders of equivalent degrees of respective faculties of other Member States or third countries, based on mutuality principle.

The procedures for additional training and recall of the pesticide sales capability, for the implementation of Directive 2009/128/EC, are issued in three months time by the beginning of valid of the present law by decision of the Minister of Rural Development and Food.

Persons equivalent trained for pesticide sales in other Member States, provided that the same level of human safety, plant and animal health and environmental protection is kept, can be employed as responsible scientists to the above companies”.

Article 36
Registry of approved pesticide preparations – Electronic sales’ record

1. ...
2. ...
3. ...
4. ...
5. The professional user obtains pesticides included in the Registry only through official retailer shops. The retailer records electronically in special selling form for each professional user the following:
 - a. Name, surname and tax number of the professional.
 - b. The area/region of the field
 - c. The field code (if exists)
 - d. The quantity of the pesticide
 - e. The crop or the plant products that the pesticide is going to be used
 - f. The invoice/receipt number
 - g. The retailer special code issued by C.N.A.

The same data, except c) data, are recorded for amateur users.

6. Pesticide choice is made based on efficacy, mode of action, spectrum of action, selectivity for the crop, disease, pest or weed, special environmental targets, compatibility with other pesticides, application facility, expected residues on the crop, residual duration, toxicological classification, its compatibility in management programs of pest resistance as well as possible effects on next crop.
7. Priority is given to selective pesticides.
8. Retailer sales without completing the special form are forbidden.
9. Copy of the special form is given to the professional user.
10. An electronic application is created in the Ministry of Rural Development and Food, where special forms are recorded. Recording is made electronically by the retailers. These data are confidential and provisions for personal data protection are applied to them. The C.N.A. can use them for the production of statistical data regarding marketing and use of plant protection products and for the National Action Plan drawing up. Until the electronic application begins operating, retailer shops are obliged to record electronically the data of paragraph 5.
11. The entity for the creation, review and operation of the electronic application of paragraph 10, as well as any relevant detail regarding the type and the content of the Special Selling Form is defined by decision of the Minister of Rural Development and Food.
12. An access permit to the electronic application of paragraph 10 is given to responsible scientists of pesticide shops by the Ministry of Rural Development and Food.
13. The marketing of pesticides non recorded to the Approval Record, or against label indications is forbidden.

Article 37
Procedures for public information regarding pesticides

1. Local and regional plant protection competent authorities, in cooperation with C.N.A., are responsible for public information and awareness raising about the pesticide use, particular regarding the risks and the potential acute and chronic effects for human health, non-target organisms and the environment arising from their use, and the use of non-chemical alternatives.

2. Information is given in paper and with electronic means as well as through internet. It is regularly reviewed to take account of scientific and technical progress. Information procedures are included in the National Action Plan.
3. Poisoning Center of the Ministry of Health gathers information and data and records in a systemic way, acute poisoning incidents, or other effects caused by pesticide use. A copy of this report is dispatched to C.N.A., in order to be evaluated and to take the necessary measures as public information, information to registration holders and distributors, modification or recall of the pesticide approval. These data are used for National Action Plan drawing up.

Article 38

Inspection system for pesticide application equipment

1. An inspection system for professional use pesticide equipment is established, which leads to suitability certificate granting.
2. The Directorate for Land Improvement Works Development and Mechanical Facilities of the Ministry of Rural Development and Food is defined as the competent authority for supervising the inspection system for professional use pesticide equipment. Local competent authorities belonging to Regions and Regional Units keep a Pesticide Application Equipment Registry, where professional use pesticide application equipment is recorded per category, geographical area and user. The new pesticide application equipment, which is marketed for use after the date of valid of the present law, is recorder with the responsibility of the buyer to the Pesticide Application Equipment Registry of the relevant Region.
3. The inspection procedures for pesticide application equipment are defined with a decision of the Minister of Rural Development and Food.

Article 39

Pesticide aerial spraying

1. The Directorate of Plant Produce Protection of the Ministry of Rural Development and Food is defined as the competent authority for the implementation of article 34 regarding aerial spraying.
2. Pesticide aerial spraying is forbidden. By deviation it is allowed only in special cases and provided that all requirements and specifications of paragraph 2 of article 23 are fulfilled. The agreeing statement of the Region is even required for issuing the deviation decision.

Article 40

Specific measures establishment for aquatic resources protection

Specific measures in order to protect the aquatic environment and drinking water, compatible to the article 25, are issued by a common decision of the Minister of Rural Development and Food, the Minister of Environment, Energy and Climate Change and the Minister of Health.

Article 41

Measures for the reduction of pesticide use or risks in specific areas

The measures for the reduction or prohibition of pesticide use or possible risks in specific areas, compatible with the provisions of article 26, are incorporated to the National Action Plan of Article 32.

Article 42

Handling and storage of pesticides

1. The sustainable use of pesticides by the professional users and especially:
 - handling, application and storage;
 - disposal of tank mixtures remaining after application;
 - cleaning of the equipment used and the personal protective equipment after application;
 - management of empty pesticide packaging after useshould be done without risks for human, animals and environment.
2. The procedures for awareness raising and keeping of users obligations as well as commitments of distributors, especially in safe storage and disposal matters are incorporated to the National Action Plan of Article 32.

Article 43 Integrated Pest Management

Provisions for the encouragement of the integrated pest management, according to article 28, are incorporated to the National Action Plan of Article 32.

Article 44 Controls on sustainable use of pesticides

The Directorate of Plant Produce Protection of the Ministry of Rural Development and Food draws up and coordinates annual and multi-annual control programs on sustainable use of pesticides aiming to the reduction of the pesticide risks to human and to the environment, except the control programs of the pesticide application equipment, which are drawn up and coordinated by the Directorate for Land Improvement Works Development and Mechanical Facilities of the Ministry of Rural Development and Food.

Article 45 Administrative sanctions for infringements on sustainable use of pesticides

1. A fine of 1,000 € up to 100,000 € is posed to the responsible for manufacturing, formulating, packaging or storing for the purpose of sale pesticides without been registered to the Pesticide Plant Registry kept by the competent authority.
2. A fine of 300 € up to 5,000 € is posed to the responsible for infringements of articles 38-44 of the present law.
3. A fine of 300 € up to 30,000 € is posed to the responsible for using pesticides not in accordance with labeling.
4. A fine of 1,000 € up to 30,000 € is posed to the responsible retailer or wholesaler for selling pesticides without the proper sale registry. The pesticides are set under official detention.
5. A fine of 1,000 € up to 30,000 € is posed to the responsible for selling pesticides without keeping the registered conditions which may cause risks to human health or to pesticides stability. The shop operation is suspended until the conditions are fixed and confirmed by control of the competent authority. A fine of 1,000 € up to 30,000 € is posed to the responsible for selling not authorized pesticides and depending on the severity of the case: a) the shop operation is suspended for at least one year, and b) pesticides can be set under official detention.

6. A fine of 1,000 € up to 10,000 € is posed to the responsible scientist of the pesticide shop who is found to be absent for more than one time and the shop operation is suspended for one to five years.
7. A fine of 1,000 € up to 30,000 € is posed to the responsible for selling pesticides without what is stated at article 35 of the present law.
8. A fine of 1,000 € up to 30,000 € is posed to the responsible for selling pesticides to professional users without registering the sale in the relevant specific document.
9. A fine of 1,000 € up to 30,000 € is posed to the responsible for denying or obstructing by any way a residue investigation or denying giving information or supplying false data or information or hiding data or information.
1. If infringements of the present article are repeated, the fine limits are doubled and the second fine cannot be less than the double of the previous one. As repetition, it is considered the discovery of another same or similar infringement by the same person or company in a three years period.
2. For the estimation of the fine, the following parameters are taken into account:
 - a. The risk caused by the infringement.
 - b. Consequences that may rise by the infringement.
3. The service that has made the investigation communicates with a document (with proven receipt) the infringement to the responsible, which is called to submit in writing his opinion in a 15 days period. After this period and regardless of submitting or not his opinion, the service forwards the file to the competent authority.
4. Fines are posed by decision of the Minister of Rural Development and Food, after a relevant proposal of the Coordinating National Authority (CNA), with the exception of infringements of article 38, where there is a proposal by the Directorate of the Exploitation of Ground Improvement Projects and Machinery.
5. Fines are assessed as public incomes and they are paid to the Account for Agriculture and Cattle Breeding. The competent Economic service of the Ministry of Rural Development and Food is responsible for the fine assessment.
6. With a Common Decision of the Minister of Rural Development and Food and the Minister of Development, Competitiveness and Shipping the fines of the present article can be readjusted.

Article 46

Punitive sanctions for infringements on sustainable use of pesticides

1. Imprisonment for at least six months is posed to the responsible for manufacturing, formulating, packaging or storing for the purpose of sale pesticides without been registered to the Pesticide Plant Registry kept by the competent authority.
2. Imprisonment for at least one year is posed to the responsible retailer or wholesaler for selling pesticides without the proper sale registry.
3. Imprisonment for at least one year is posed to the responsible registered pesticide retailer or wholesaler for selling not authorized pesticides.
4. Imprisonment for three months up to one year is posed to the responsible pesticide retailer or wholesaler for infringements against article 35 of the present law.

5. Imprisonment for at least one year is posed to the responsible for denying or obstructing by any way a residue investigation or denying giving information or supplying false data or information or hiding data or information.

SENCION FOUR: PESTICIDE RELEVANT PROVISIONS

- Article 47: Pesticide price monitoring
- Article 48: Products containing macro-organisms
- Article 49: Sanctions for pest control infringements
- Article 50: Empowering measures
- Article 51: Modification of law 721/1977 for biocides

SECTION FIVE

- Article 52: Repeal- transitional provisions
- Article 53: Entry into force

ANNEX A

- Fees for approval

ANNEX B

Training content

1. All relevant legislation regarding pesticides and their use.
2. The existence and risks of illegal (counterfeit) plant protection products, and the methods to identify such products.
3. The hazards and risks associated with pesticides, and how to identify and control them, in particular:
 - (a) risks to humans (operators, residents, bystanders, people entering treated areas and those handling or eating treated items) and how factors such as smoking exacerbate these risks;
 - (b) symptoms of pesticide poisoning and first aid measures;
 - (c) risks to non-target plants, beneficial insects, wildlife, biodiversity and the environment in general.
4. Notions on integrated pest management strategies and techniques, integrated crop management strategies and techniques, organic farming principles, biological pest control methods, information on the general principles and crop or sector-specific guidelines for integrated pest management.
5. Initiation to comparative assessment at user level to help professional users make the most appropriate choices on pesticides with the least side effects on human health, non-target organisms and the environment among all authorised products for a given pest problem, in a given situation.
6. Measures to minimise risks to humans, non-target organisms and the environment: safe working practices for storing, handling and mixing pesticides, and disposing of empty packaging, other contaminated materials and surplus pesticides (including tank mixes), whether in concentrate or dilute form; recommended way to control operator exposure (personal protection equipment).
7. Risk-based approaches which take into account the local water extraction variables such as climate, soil and crop types, and relieves.
8. Procedures for preparing pesticide application equipment for work, including its calibration, and for its operation with minimum risks to the user, other humans, non-target animal and plant species, biodiversity and the environment, including water resources.
9. Use of pesticide application equipment and its maintenance, and specific spraying techniques (e.g. low-volume spraying and low-drift nozzles), as well as the objectives of the technical check of sprayers in use and ways to improve spray quality. Specific risks linked to use of handheld pesticide application equipment or knapsack sprayers and the relevant risk management measures.
10. Emergency action to protect human health, the environment including water resources in case of accidental spillage and contamination and extreme weather events that would result in pesticide leaching risks.
11. Special care in protection areas established under law 3199/2003 (A'280), in compliance to Directive 2000/60/EC.
12. Health monitoring and access facilities to report on any incidents or suspected incidents.
13. Record keeping of any use of pesticides, in accordance with the relevant legislation.

ANNEX C

Health and safety and environmental requirements relating to the inspection of pesticide application equipment

- a) The inspection of pesticide application equipment covers all aspects important to achieve a high level of safety and protection of human health and the environment. Full effectiveness of the application operation should be ensured by proper performance of devices and functions of the equipment to guarantee the following objectives are met.
- b) The pesticide application equipment must function reliably and be used properly for its intended purpose ensuring that pesticides can be accurately dosed and distributed. The equipment must be in such a condition as to be filled and emptied safely, easily and completely and prevent leakage of pesticides. It must permit easy and thorough cleaning. It must also ensure safe operations, and be controlled and capable of being immediately stopped from the operator's seat. Where necessary, adjustments must be simple, accurate and capable of being reproduced.
- c) Particular attention should be paid to:
 1. Power transmission parts

The power take-off driveshaft guard and the guard of the power input connection shall be fitted and in good condition and the protective devices and any moving or rotating power transmission parts shall not be affected in their function so as to ensure protection of the operator.
 2. Pump

The pump capacity shall be suited to the needs of the equipment and the pump must function properly in order to ensure a stable and reliable application rate. There shall be no leakages from the pump.
 3. Agitation

Agitation devices must ensure a proper recirculation in order to achieve an even concentration of the whole volume of the liquid spray mixture in the tank.
 4. Spray liquid tank

Spray tanks including indicator of tank content, filling devices, strainers and filters, emptying and rinsing systems, and mixing devices shall operate in such a way as to minimise accidental spillage, uneven concentration distribution, operator exposure and residual content.
 5. Measuring systems, control and regulation systems

All devices for measuring, switching on and off and adjusting pressure and/or flow rate shall be properly calibrated and work correctly and there shall be no leakages. Control of pressure and operation of pressure adjustment devices shall be easily possible during application. Pressure adjustment devices shall maintain a constant working pressure at constant revolutions of the pump, in order to ensure that a stable volume application rate is applied.
 6. Pipes and hoses

Pipes and hoses shall be in proper condition to avoid disturbance of liquid flow or accidental spillage in case of failure. There shall be no leakages from pipes or hoses when run with the maximum obtainable pressure for the system.
 7. Filtering

In order to avoid turbulence and heterogeneity in spray patterns, filters shall be in good condition and the mesh size of the filters shall correspond to the size of nozzles fitted on the sprayer. Where applicable the filter blockage indication system shall operate correctly.

8. Spray boom (for equipment spraying pesticides by means of a horizontally positioned boom, located close to the crop or the material to be treated).

The spray boom must be in good condition and stable in all directions. The fixation and adjustment systems and the devices for damping unintended movements and slope compensation must work correctly.

9. Nozzles

Nozzles must work properly to control dripping when spraying stops. To ensure homogeneity of the spray pattern, the flow rate of each individual nozzle shall not deviate significantly from the data of the flow rate tables provided by the manufacturer.

10. Distribution

The transverse and vertical (in case of applications in vertical crops) distribution of the spray mixture in the target area must be even, where relevant.

11. Blower (for equipment distributing pesticides by air assistance)

The blower must be in good condition and must ensure a stable and reliable air stream.

ANNEX D
General principles of integrated pest management

1. The prevention and/or suppression of harmful organisms should be achieved or supported among other options especially by:
 - crop rotation,
 - use of adequate cultivation techniques (e.g. stale seedbed technique, sowing dates and densities, under-sowing, conservation tillage, pruning and direct sowing),
 - use, where appropriate, of resistant/tolerant cultivars and standard/certified seed and planting material,
 - use of balanced fertilisation, liming and irrigation/drainage practices,
 - preventing the spreading of harmful organisms by hygiene measures (e.g. by regular cleansing of machinery and equipment),
 - protection and enhancement of important beneficial organisms, e.g. by adequate plant protection measures or the utilisation of ecological infrastructures inside and outside production sites.
2. Harmful organisms must be monitored by adequate methods and tools, where available. Such adequate tools should include observations in the field as well as scientifically sound warning, forecasting and early diagnosis systems, where feasible, as well as the use of advice from professionally qualified advisors.
3. Based on the results of the monitoring the professional user has to decide whether and when to apply plant protection measures. Robust and scientifically sound threshold values are essential components for decision making. For harmful organisms threshold levels defined for the region, specific areas, crops and particular climatic conditions must be taken into account before treatments, where feasible.
4. Sustainable biological, physical and other non-chemical methods must be preferred to chemical methods if they provide satisfactory pest control.
5. The pesticides applied shall be as specific as possible for the target and shall have the least side effects on human health, non-target organisms and the environment.
6. The professional user should keep the use of pesticides and other forms of intervention to levels that are necessary, e.g. by reduced doses, reduced application frequency or partial applications, considering that the level of risk in vegetation is acceptable and they do not increase the risk for development of resistance in populations of harmful organisms.
7. Where the risk of resistance against a plant protection measure is known and where the level of harmful organisms requires repeated application of pesticides to the crops, available anti-resistance strategies should be applied to maintain the effectiveness of the products. This may include the use of multiple pesticides with different modes of action.
8. Based on the records on the use of pesticides and on the monitoring of harmful organisms the professional user should check the success of the applied plant protection measures.

ANNEX IV
Harmonised risk indicators