



STALNO PREDSTAVNIŠTVO REPUBLIKE SLOVENIJE PRI URADU ZDRUŽENIH
NARODOV IN OSTALIH MEDNARODNIH ORGANIZACIJAH V ŽENEVI
**PERMANENT MISSION OF THE REPUBLIC OF SLOVENIA TO THE UNITED
NATIONS OFFICE AND OTHER INTERNATIONAL ORGANIZATIONS IN GENEVA**

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The Permanent Mission of the Republic of Slovenia to the United Nations Office and Other International Organisations in Geneva presents its compliments to the Office of the United Nations High Commissioner for Human Rights and has the honour to enclose herewith a response to the questionnaire to prepare annual report on the implications of the widespread use of pesticides on the right to food.

The Permanent Mission of the Republic of Slovenia to the United Nations Office and other International Organisations in Geneva avails itself of this opportunity to renew to the Office of the United Nations High Commissioner for Human Rights the assurances of its highest consideration.

Geneva, 7 December 2016



Office of the United Nations High Commissioner for Human Rights

GENEVA

Mandate of the Special Rapporteur on the right to food
Questionnaire to Governments
to inform her report to the 34th Session of the Human Rights Council

1. Please list any laws (both domestic and international) that are being enforced by your Government to regulate the use of pesticides:

- 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.
- 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 (Text with EEA relevance).
- 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 (Text with EEA relevance).
- Directive 2009/127/EC of the European Parliament and of the Council of 21 October 2009 amending Directive 2006/42/EC with regard to machinery for pesticide application (Text with EEA relevance).
- Regulation (EC) No 1185/2009 of the European Parliament and of the Council of 25 November 2009 concerning statistics on pesticides (Text with EEA relevance).
- Regulation (EC) No 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures, amending and repealing Directives 67/548/EEC and 1999/45/EC, and amending Regulation (EC) No 1907/2006 (Text with EEA relevance).
- Plant Protection Products Act (ZFFS-1) (Official Gazette of the Republic of Slovenia (OG RS), No. 83/12) and secondary legislation on its basis.
- Regulation implementing Regulations (EC) and (EU) concerning the placing of plant protection products on the market (OG RS No. 5/15).

Decree on waste (OG RS, Nos. 37/15 and 69/15) with a view to protecting the environment and human health protection lays down rules for managing and other requirements for preventing or reducing the adverse impacts of waste generation and waste management. The Decree applies to all waste except for those who are excluded from the scope of Directive 2008/98 / EC on waste (Article 2).

Waste management of plant protection products (PPPs) containing hazardous substances is organized in accordance with the principle of extended producer responsibility. The manufacturer and importer (from EU or the third country) of PPPs which are placed on the market of Slovenia have to ensure at their own expense the collection of waste PPPs (unused PPPs and PPPs residues that remain after their use in their packaging) from end-users, distributors and providers of public services and the re-use or disposal of waste PPPs collected. Rules for managing and other conditions for the collection, reuse and disposal of unused PPPs and PPPs residues that remain after their use in their packaging are laid down in Decree on the management of waste plant protection products that contain hazardous substances (OG RS, No. 119/06).

2. The use of pesticides has had detrimental effects not only on the environment but also on human health, both from direct and indirect exposure. What are the successful and unsuccessful measures, taken by your Government to prohibit, ban, restrict and phase out pesticides that are harmful to human health?

According to the criteria and procedures defined by Regulation (EC) 1107/2009 all active substances undergo thorough hazard and risk evaluation of their possible toxic and ecotoxic effects. The most hazardous substances, or having a great risk, are not approved for the use in plant protection products within the EU.

3. *Some particularly exposed vulnerable groups such as children, pregnant women, farmers, farm workers, indigenous peoples and migrant workers, are at greater risk to the effect of pesticides due to higher exposure or increased sensitivity. Please explain the efforts undertaken by your Government to prevent and mitigate detrimental impacts of pesticides on the health of these vulnerable groups:*

Plant protection products (PPPs) have to receive the positive decision in an authorisation procedure before they are allowed to be placed on the market and use. In the authorisation, procedure different aspects of possible impacts of PPPs are evaluated: toxicology, operator exposure, residues, ecotoxicology, fate and behaviour in the environment, chemistry with methods of analyses and efficacy. In toxicology and operator exposure evaluation the risk of PPPs are assessed and risk mitigation measures defined: for instance a waiting period for re-entry to the field, or personal protective equipment for the operator.

Slovenian PPP Act bans the use of PPPs on schoolyards and children playgrounds entirely. The preference to non-chemical plant protection methods is given to protect plants in public parks and similar public areas. If the PPPs are used to control a serious danger posed by harmful organisms, risk mitigation measures are obligatory, for instance informing the public, or installing a temporary fence to prevent entry onto the treated surfaces.

Foods for infants and small children are subject to additional regulation:

- Rules on infant formulae for babies and follow-on formulae for babies and small children (OG RS, Nos. 54/07, 2/08 – popr., 8/10 in 38/14) transposing Directive 2006/141/EC.
- Rules of processed cereal-based foods and baby foods for infants and young children (OG RS, No. 25/09) transposing Directive 2006/125/EC.

4. *Have any studies been conducted, with the support of your Government, using disaggregated data to differentiate and detect impacts on above-mentioned vulnerable groups?*

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5. *Considering that States have an obligation to implement the right to information on hazardous substances, please give examples of how your Government has ensured that pesticide users and consumers are informed of the hazard and risks of pesticides used in food production?:*

The information on authorised PPPs and their use is publicly available on the Government web pages. Leaflets and brochures are printed containing the information on PPP use, possible impact and risk mitigation measures. There is an obligatory system of training of PPP users, containing also the information on possible impacts of PPPs on health and the environment.

6. *Please provide any good practices that your Government has initiated to assess, monitor, prevent and mitigate the risk of possible exposure to hazardous pesticides; and what further efforts could be undertaken:*

The approval of active substances and authorisation of PPPs according to Regulation (EC) 1107/2009 is an example of good practice how to reduce possible risk of exposure to plant protection products. The approval criteria for active substances prevent certain most hazardous substances from being approved and the PPP authorisation criteria adequately address all possible risks PPPs may bring during use. The number of PPPs on the EU market significantly decreased over the last years, causing the gaps in conventional plant protection.

7. *Gaps and weaknesses in international and national regulatory systems allow the use of pesticides that are unsafe, even used legally and per instruction, on the market. Please provide examples of good practices initiated by your Government in building effective protection frameworks governing production and use of pesticides:*

The EU approval (of active substances) and authorisation (of PPPs) system works rather well in reducing the risk exposure to PPPs. The approval criteria of Annex II of Regulation (EC) 1107/2009 prevent the most hazardous substances to be placed on the market as PPPs. Risk evaluation of the remaining active substances has to show that the use as PPP would be safe in

spite of certain hazardous properties. The number of approved active substances on the EU market has significantly decreased during the last years.

8. *Please provide examples of effort supported by your Government to reduce the use of plant protection products in agricultural food production, including by incentivising ecological methods of pest control and agro-ecology (including training programmes, provision of financial support, etc.). Please indicate how successful and how widely implemented such efforts have been to date:*

By Slovenian PPP Act the implementation of basic principles of Integrated Pest Management as defined by Directive 2009/128/EC is obligatory for all farmers and enterprises producing food for the market. The Government stimulates further development and know how in specific integrated pest management guidelines and practices by financial support of targeted programmes at expert organisations.

There is a training system defined by PPP Act on proper use of PPPs, which is compulsory for all PPP users. Farmers get the PPP training certificate at this training, which has to be prolonged every 5 years by attending a renewal-training course.

There are many training programmes for farmers in different schemes (organic production, IPM, quality schemes), provided by the State Advisory service, which is financed by the Government.

The Government financially support the organic farming by subsidies of the production and promotion of organic produce. The organic production stays stable in the last three years, at the level of 4,1 to 4,6 % of farms.

9. *Please share any information regarding court decisions or on-going litigation in relation to the detrimental effects of pesticides, in particular in relation to the right to food.*

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10. *Please provide any additional information you believe would be useful to understand the challenges confronting your Government in its efforts to prevent and mitigate adverse impacts of pesticides on human health, the right to food, and the environment:*

A quite restrictive package of legislation in EU adopted in 2009 is causing a significant decrease of plant protection products on the EU market for effective control of harmful organisms damaging the food production. In spite of the promotion of organic production and incentivising the principles of integrated pest management, the scientific and technical development is not able to follow the need for effective control of harmful organisms using agro technical and non-chemical methods. Much more effort is needed in developing new effective non-chemical methods for control of harmful organisms in crops, before chemical methods now widely used are taken away from food production.

In the field of water management, Slovenia has regulations for monitoring of surface (rivers, lakes, coastal waters) and groundwater, as a precautionary principle to protect natural waters and as a basis of expertise about water quality status. For surface water and for groundwater, environmental quality standards (limit values) for pesticides are set, as maximum allowable concentrations or as annual average concentrations. Environmental quality standards for surface water are defined in the Decree on the status of surface waters (OG RS, Nos. 14/09, 98/10, 96/13 and 24/16), and for groundwater in the Decree on the status of groundwaters (OG RS, Nos. 25/09, 68/12 and 66/16). Based on the assessment of ecological and chemical status of water bodies, necessary measures are planned, to improve the situation.