

BTME – HARROGATE 2009

EU legislation and possible impact on amenity pesticide use

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EU Thematic Strategy for Pesticides

- Aim to reduce risk to human health and the environment.
- Comprises 4 pieces of legislation
 - Replace 91/414
 - New sustainable use directive
 - New statistics regulation
 - Amend machinery directive

Pesticide authorisation regulation

- Modernise and rationalise regulatory regime
 - Raise bar in terms of perceived levels of protection, get the regime to work more efficiently.
- Negative impact on product availability
 - Use of hazard criteria as basis for approval of products;
 - Lack of clarity on definitions means impact is uncertain.;
 - could lose 2,4-D, amitrole, bifenthrin, carbendazim, deltamethrin, glufosinate, ioxynil, iprodione, penconazole, picloram, prochloraz, propiconazole, tebuconazole, warfarin.
- Less of an issue for amenity than agriculture?

Sustainable Use directive

- National Action Plans;
- On-going training and certificates for users, distributors and advisers;
- Sprayer testing;
- Protection water and other sensitive sites;
- Promotion of integrated approaches.
- More of a challenge for the amenity sector.

National Action Plans - Policy

- National Action Plans shall set quantitative objectives, targets, measures, indicators to reduce risks and impact of pesticides...and encourage development of IPM and alternative approaches and techniques in order to reduce dependency on the use pesticides.

Training

- Member states shall ensure all professional users, distributors and advisors have access to appropriate training by bodies designated by competent authorities. This shall consist of both initial and additional training to acquire and update knowledge as appropriate.
- Training shall cover: legislation; hazards (risks to humans, symptoms of poisoning and first aid measures; risks and risks to the environment); IPM; comparative assessment at user level; storage, handling, mixing and disposal, preparation; operation, use and maintenance of application equipment; emergency action in case of accidents; health monitoring and access facilities to report incidents; counterfeit products; and record keeping.

Sprayer testing

- Member states shall ensure that pesticide application equipment in professional use shall be inspected at regular intervals...at least every 5 years until 2020 and then every 3 years thereafter. All machines shall have been tested by 2016 and from this date only those which have passed an inspection can be used.
- Handheld and knapsacks may be exempted from testing, provided member states ensure operators have been informed on the need to regularly change accessories, on risks linked to the equipment and that operators are trained in proper use. Provided that risk and scale of use assessments carried out.
- Handhelds, knapsacks, application equipment not used for spraying pesticides or other types of machinery (must be listed in national action plans) may be tested less (or more!) frequently. Provided that risk and scale of use assessments carried out.

Protection of water

- Member states shall ensure that appropriate measures to protect the aquatic environment and drinking water supplies from the impact of pesticides are adopted.
- Measures shall include: giving preference to products not classified as dangerous for the aquatic environment; giving preference to the most efficient application techniques; use of mitigation measures which minimise off-site pollution caused by spray drift, drain-flow and run-off.
- Measures also include minimising or eliminating applications along roads, railway lines, very permeable surfaces or other infrastructure close to water or on sealed surfaces with a high risk of run-off to water or sewage systems.

Protection of 'specific areas'

- Taking account of risk assessments and having due regard for necessary hygiene, public health and biodiversity member states shall prohibit or minimise use in areas used by the general public or vulnerable groups.
- Areas are defined as parks, public gardens, sports and recreation grounds, school grounds and playgrounds and in the close vicinity of healthcare facilities (also protected areas as defined under the water framework directive, Natura 2000 sites and areas recently treated which are used by or accessible to agricultural workers).

Integrated approaches

- Member states shall take all necessary measures to promote low pesticide-input pest management, giving priority to non-chemical methods so that professional users switch to lowest risk practices and products. Low input defined as IPM and.
- Member states shall establish or support the establishment of necessary conditions for the implementation of IPM, making sure professional users have information, tools, decision-making and advisory services at their disposal.
- General principles of IPM to be implemented by all professional users by start of 2014. Crop or sector specific IPM may be drawn up by professional users and member states shall encourage their adoption.

What next?

- Text virtually adopted, publication expected in spring. Various implementation deadlines.
- PSD consultation on implementation measures later this year - aiming for proportionate and practical measures.
- National implementation measures developed under framework of Government's Pesticides Strategy.

**THE LIKELY IMPACT ON THE
AMENITY SECTOR
JON ALLBUTT**

**CHAIRMAN OF THE AMENITY
FORUM**

The New Pesticide Authorisation Regulation

- WE DO NOT YET KNOW THE FULL IMPACT OF THIS NEW REGULATION TO BE IN FORCE WITHIN EU MEMBER STATES 18 MONTHS AFTER PUBLICATION – PROBABLY THE END OF 2010
- CLARIFICATION OF SOME OF THE PROVISIONS AND IMPLEMENTATION WILL BE OVER TIME
- HOWEVER IT DOES APPEAR THAT WE ARE LIKELY TO SEE THE LOSS OF SOME ACTIVE INGREDIENTS CURRENTLY APPROVED FOR USE IN OUR SECTOR

The Sustainable Use Directive National Action Plans

- WE ALREADY HAVE OUR OWN NATIONAL ACTION PLAN THAT HAS BEEN RUNNING NOW FOR OVER TWO YEARS NOW
- THE PLAN IS DIVIDED INTO FIVE SEPARATE ACTION PLANS INCLUDING THE “*AMENITY ACTION PLAN*”
- THE AMENITY FORUM IS THE LEAD BODY REPRESENTING ALL ASPECTS OF OUR SECTOR

Training

- **THE UK HAS OPERATED A HIGHLY SUCCESSFUL OPERATOR CERTIFICATION SCHEME SINCE 1987 – THE NPTC PA CERTIFICATES**
- **TO ENSURE OPERATORS ARE UP TO DATE WE HAVE THE NROSO SCHEME**
- **WE HAVE SUPERVISOR, MANAGER AND ADVISOR CERTIFICATION (BASIS) FOR OVER 20 YEARS. HOWEVER THERE IS A NEED FOR CLARIFICATION ON WHAT EXACTLY THE TERM ‘ADVISER’ MEANS**

Training contd.

- **WE ARE VERY WELL PLACED TO MAKE WHATEVER ADJUSTMENTS, IF ANY, THAT ARE NEEDED TO FULLY COMPLY WITH THE DIRECTIVE**
- **THE AMENITY FORUM IS IN ACTIVE DISCUSSIONS WITH NROSO TO BRING FORWARD, WE HOPE THIS YEAR, AN AMENITY SPECIFIC SCHEME FOR A MORE RELEVANT CPD SYSTEM**

SPRAYER TESTING

- WE HAVE THE NATIONAL SPRAYER TESTING SCHEME (NSTS) ALREADY IN OPERATION
- WHEN WE KNOW THE FINAL DETAILS OF THE DIRECTIVE THIS SCHEME CAN BE REVISED SO THAT THE UK IS IN FULL COMPLIANCE.
- HOWEVER WE NEED TO CONSIDER CAREFULLY IF IT IS ACCEPTABLE NOT TO HAVE TESTING FOR HAND HELD EQUIPMENT. THERE IS A NEED FOR MORE CONSULTATION WITH INDUSTRY HERE BEFORE A FINAL DECISION IS MADE

PROTECTION OF WATER

- THE UK IS PROBABLY UNIQUE IN THE EU WITH THE LERAPS (<http://www.pesticides.gov.uk>) SCHEME IN OPERATION FOR 5 YEARS NOW
- WE ARE ALREADY EXPERIENCED IN CARRYING OUT RISK ASSESSMENTS (THE LERAPS SCHEME), AND OBSERVING BUFFER ZONES
- THIS SCHEME MAY BE REVIEWED IN THE FUTURE
- HOWEVER THE WATER FRAMEWORK DIRECTIVE (www.environment-agency.gov.uk) MAY ALSO HAVE A SIGNIFICANT IMPACT ON THE USE OF PESTICIDES IN AMENITY AREAS

PROTECTION OF 'SPECIFIC AREAS'

- **THIS IS LIKELY TO BE OUR BIGGEST CHALLENGE – TO SHOW THAT WE CAN APPLY PESTICIDES IN PUBLIC AMENITY AREAS AND MINIMISE THE RISKS TO BYSTANDERS**
- **THE AMENITY SECTOR HAS SOME WELL DEVELOPED INTEGRATED PEST MANAGEMENT SYSTEMS BUT IN GENERAL WE ARE NOT AS WELL PREPARED AS MAIN STREAM AGRICULTURE**
- **OUR SECTOR WILL NEED WORK HARDER TO ACHIEVE HIGHER STANDARDS OF INTEGRATED PEST MANAGEMENT, ENVIRONMENTAL RISK ASSESSMENTS, OBSERVING BUFFER ZONES, AGREE 'NO SPRAY' AREAS AND OTHER STRATEGIES AIMED AT REDUCING EXPOSURE TO PESTICIDES**

THE FUTURE

- **IT IS IMPORTANT TO REMEMBER THAT THE DECISIONS WE TAKE FOR THE FUTURE WILL BE JUDGED ACCORDING TO EU INDICATORS AS WELL AS OUR OWN**
- **WE MUST CONTINUE TO DEVELOP INTEGRATED STRATEGIES FOR THE REDUCTION OF PESTICIDES USE – WE CAN EXPECT THERE TO BE MONITORING BOTH UK AND EU**
- **THERE WILL ALSO BE A REVIEW OF EACH MEMBER STATES LEVEL OF COMPLIANCE AFTER FIVE YEARS OF OPERATION**
- **IT IS ONE THING TO MAKE REGULATIONS, IT IS QUITE ANOTHER FOR US TO ENSURE THAT WE COMPLY USING BOTH VOLUNTARY AND STATUTORY MEANS!**

Thank you
Any Questions?

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