

The UK Expert Committee on Pesticides (ECP)

Minutes of the meeting of the UK Expert Committee on Pesticides (ECP) held on 25 May 2021

Due to the COVID-19 pandemic and lockdown measures that were in place, the meeting was held via Microsoft Teams.

Those present:

Chairman:

Professor W Cushley

Members:

- Professor R Blackshaw
- Mr R Davis
- Mr M Dempsey
- Doctor J Garratt
- Mr M Glynn
- Doctor M Hare
- Doctor C Harris
- Professor T Hutchinson
- Professor T Lock
- Doctor C Morris
- Doctor M Rose
- Professor A Smith
- Professor D Spurgeon
- Professor M Whelan

Assessors:

- Doctor S Jess (representing the Department of Agriculture, Environment and Rural Affairs, Northern Ireland)
- Ms G Reay (representing Scottish Government)
- Mr D Williams (Defra)
- Mr M Williams (Welsh Government)

Advisors:

- Mr A Dixon (Health and Safety Executive (HSE))
- Ms S Hugo (Defra); Mr B Maycock (FSA)
- Ms C Meacher (Defra)
- Ms O Sepai (Public Health England)
- Doctor C Snaith (HSE)
- Mr G Stark (HSE)
- Ms M Wade (HSE)

Others:

- Mr J Chambers (HSE)
- Mr T Fisher (HSE)
- Mr J Godwin (Defra)
- Mr M Hawkins (HSE)
- Mr C Rundle (HSE)
- Mr J Webb (Defra)

Apologies:

- Ms H Chambers
- Doctor R Mann and Doctor J Newman (Environment Agency)

Agenda Item 1: Introduction

- 1.1. The Chair reminded the meeting of the confidentiality of the papers and their discussions. If members believed that they had a commercial or financial interest in any of the items being discussed, they were required to declare their interest to the Chair and Secretariat prior to the meeting. They may then either be invited to absent themselves from the discussions, not participate and/or not be involved in any discussions and decision-making, unless invited to do so.
- 1.2. One member identified a potential conflict of interest where they were aware their employer had previously been involved with an active substance that would be discussed within the meeting. As they had not been involved in this work, it was

decided this was a non-personal, specific conflict and the member could remain and participate in discussion on the relevant agenda item.

Agenda Item 2: full minutes of the previous meeting [ECP 1 (44/2021)]

2.1 The draft full minutes of the March 2021 meeting were agreed subject to minor amendments.

Agenda Item 3: matters arising and forward business plan [ECP 2 (43/2021)]

3.1 The secretariat provided an update on matters arising from previous meetings and invited members to suggest any additions or amendments to the forward business plan which would be incorporated before the next meeting.

3.2 Members previously noted that some public statements on the decision to grant the emergency authorisation of 'Cruiser SB' on sugar beet did not fully reflect the advice provided by the committee. The secretariat has sent correspondence to the relevant offices to ensure there was an understanding of the ECPs position. A copy of the correspondence is available in Annex 1 of these minutes.

Agenda item 4: emergency authorisation: 'Spotlight Plus' on seed crops of outdoor pulses and legumes (ECP 3 – 3-1 (44/2021))

4.1 The UK Government has received an application for emergency authorisation under Article 53 of Regulation 1107/2009 for the use of 'Spotlight Plus' (60 g/l carfentrazone-ethyl) as a desiccant on outdoor crops of field bean, combining pea, vining pea, broad bean, lupin and lentil.

4.2 The committee was asked to advise on whether the risks identified in the HSE evaluation which led to a timing restriction of no later than 23 September would be significantly increased under field conditions if it was extended to 30 September. Members discussed the application, and their full advice can be found in Annex 2 of these minutes.

Agenda item 5: update of review of independent scientific advice

5.1 Defra informed the committee that a plan for the review of independent scientific advice (ISA) has now been produced. Defra plan to engage with ECP as part of the process and will meet with Defra's Chief Scientific Advisor to discuss the wider review of ISA being carried out by his office.

5.2 During the review, Defra will look at other ISA bodies across government to see if there are any models that would be of interest. They will seek input from relevant stakeholders such as the Devolved Administrations, Defra, HSE and ECP. Several options will be sent to ministers. Once the preferred option has been agreed there will be a transition period whilst the UK Government moves to this model.

5.3 Members commented:

- it would be important to consider if input would be sought from external stakeholders as well as the internal ones mentioned
- when the committee is consulted, it is important to allow members to provide their views beyond the main questions being asked to ensure all aspects are considered

Agenda item 6: date of next meeting

6.1 13 July 2021 - full business meeting to be held virtually.

Agenda item 7: any other business

7.1 Chair's report

7.1.1 The Chair provided an update on the current recruitment campaign that is ongoing to seek new toxicology experts for the committee.

Action: Secretariat

**Rachel Merrick
ECP Secretariat
July 2021**

Annex 1

Correspondence to the House of Lords

Dear Lord Ridley,

I am writing to outline the position of the UK Expert Committee on Pesticides (ECP) in relation to the UK Government decision to grant an authorisation for the use of 'Cruiser SB' on sugar beet.

I see from Hansard ([Biodiversity: Impact of Neonicotinoids - Thursday 14 January 2021 - Hansard - UK Parliament](#)) that you spoke in the debate indicating that ECP members broadly supported the decision. This was not the case – the ECP was asked a number of technical and scientific questions associated with the application for authorisation, regarding the risks associated with the application of the chemical and how these risks could be mitigated, and how use could be limited and controlled.

ECP's advice to Government on these points considered several environmental factors that led the Committee to conclude that there were additional risks beyond those identified in the evaluation of the application and that these could not be mitigated. ECP was not asked whether the use should be authorised and did not express any support for it.

I hope you will welcome this clarification of ECP's contribution to the decision-making process.

I am sending a copy of this letter to Lord Goldsmith's office.

Yours Sincerely
Rachel Merrick



Rachel Merrick | Expert Committee on Pesticides Secretary

HSE, Chemicals Regulation Division (CRD), Ground Floor, Mallard House,
3 Peasholme Green, Kings Pool, York, YO1 7PX

Telephone: +44(0)20 3028 1222

Email: rachel.merrick@hse.gov.uk

Annex 2

ECP advice to the UK Government: use of 'spotlight plus' on seed crops of outdoor pulses and legumes

Issue

1. The UK Government has received an application for emergency authorisation under Article 53 of Regulation 1107/2009 for the use of 'Spotlight Plus' (60 g/l carfentrazone-ethyl) as a desiccant on outdoor crops of field bean, combining pea, vining pea, broad bean, lupin and lentil.

Action required

2. The committee was requested to advise on whether the risks identified in the HSE evaluation, which led to a timing restriction of no later than 23 September, would be significantly increased under field conditions, if the use period were extended to 30 September.

Discussion

3. The committee noted that:

- this was the second consecutive application for this use
- non-dietary risks to human health could be mitigated by requirements for operators to wear suitable protective clothing and gloves when handling concentrate
- the environmental fate and behaviour assessment had identified that in groundwater, the identified metabolites were predicted to occur above the accepted parametric drinking water limit of 0.1 µg/L.
- It was noted that for the purposes of an emergency application, a derogation from the full requirements of the regulation and uniform principles is possible and these levels have been included in the consumer intake assessment
- the ecotoxicology assessment identified an acceptable risk for birds, mammals, bees, earthworms, and soil micro-organisms. The following risk mitigation was required to protect non-target arthropods, non-target plants and aquatic organisms from exposures resulting from drainflow and spray drift
 - an 18m aquatic buffer zone for application made by conventional horizontal boom sprayer
 - all sprayers to be fitted with three-star drift reduction technology for all uses.
 - avoiding spraying within 5 metres of the field boundary to reduce effects on non-target insects or other arthropods
 - extreme care being taken to avoid spray drift onto non-crop plants outside of the target area
 - product only to be applied by conventional horizontal boom sprayer

- the applicant had failed to provide data requested when the previous emergency authorisation was granted
- although authorised for use in 2020 as a desiccant, Spotlight Plus is also an herbicide and the reported pattern of use showed that it was used mainly in the East of England where conditions at harvest tend to be drier
- the permanent solution to the issue depends upon renewal authorisation by the EU and then the subsequent submission of the requisite data to the UK authorities for subsequent authorisation. The time to the conclusion of this process is unknown
- there were no end-points available for algae and aquatic plants, so it was not possible to quantify the risk in the assessment

4. The committee agreed with HSE's evaluation that:

- there is a lack of practical alternative chemical and non-chemical desiccation methods for pulses and legume crops grown for seed production
- risks to consumers from dietary exposures were acceptable for pulses and legumes for seed production, and that a restriction that the product must not be used on pulse and legume crops that are destined for human or animal consumption be included
- no information had been provided on how the use would be limited and controlled. The applicant provided no credible reason for failure to provide either data on patterns of use of the product or data on the decisions to use or not to use the product. Both types of data are required to provide evidence that use is limited and controlled
- it was unclear how a decision was taken as to whether the product should be applied and how agronomists were involved in the decision-making process
- that use would be limited through restriction to seed crops

5. The committee disagreed with HSE's evaluation that:

- the case for need (application up to 30 September) had been fully met
- use of the product will be effectively controlled. There were no criteria describing the conditions under which the product would, or should not, be applied which implies the absence of a controlled decision-making process

6. The committee advised that:

- there were no data or other evidence to support an extension of the permitted period of use from 23 September to 30 September. The application of a first tier (conservative) risk assessment indicated that exposures would increase significantly beyond 23 September. Therefore, the last date of use should be 23 September

- the regulators should consider the potential risk pertaining to tumours in future product reviews. It has been suggested that the active substance is classified as a category 2 carcinogen. A mode of action is not known, but the mechanism of action as an herbicide in plants is expected to occur similarly in animals and humans. The risks arising from entry into drinking water and resulting from restrictions to prevent animal and human consumption of treated produce is low
- consideration be given to the other desiccant products identified by the applicant to see if they have lower, or more completely defined, risks that might yield a permanent solution sooner than the current proposal
- Conditions of authorisation should be:
 - the collection and submission of data that will fill the data gaps for algae, aquatic plants, and soil macro-invertebrates
 - the presentation of criteria for application decisions
 - the submission of data from users to provide the evidence that use is limited and controlled
 - that the product owner commit to a realistic timescale for the submission of data covering gaps identified by HSE. Such data to be a pre-requisite for the consideration of any future applications under Article 53, of Regulation 1107/2009

Conclusion

7. On the basis of the evidence presented to ECP, the Committee agreed that, subject to the above conditions, it supports the granting of an authorisation under Article 53 of Regulation 1107/2009, but did not support the extension on the period of use to 30 September.