The UK Expert Committee on Pesticides (ECP)

Full Minutes of the meeting of the UK Expert Committee on Pesticides (ECP) held 13 July 2021

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

Those present:

Chairman:

Prof W Cushley

Members:

Prof R Blackshaw; Mr R Davis; Prof M Eddleston; Dr J Garratt; Mr M Glynn; Dr M Hare; Dr C Harris; Prof T Hutchinson; Prof T Lock; Dr R Mann; Dr C Morris; Dr M Rose; Prof A Smith; Prof D Spurgeon and Prof M Whelan

Assessors:

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

Advisors:

Mr A Dixon (HSE); Mr D Flynn (HSE); Mr T Gant (PHE); Dr J Hingston (HSE); Ms S Hugo (Defra); Mr B Maycock (FSA); Ms C Meacher (Defra); Ms H Nakeeb (PHE); Dr J Newman (Environment Agency); and Ms M Wade (HSE)

Others:

Ms F Beacon (HSE); Mr J Chambers (HSE); Mr T Fisher (HSE); Mr M Hawkins (HSE); Mr C Rundle (HSE); Mr S Thorpe (Red Tractor) (Item 11 only);Ms L Smith (BASIS) (Item 11 only);Mr R Hawkins (Environmental Agency) (Item 11 Only); Mr B Corrigan (RPA) (Item 11 only); Mr P Adamson (HSE) (Item 11 only); Ms Laura Catterall (HSE) (Item 11 only) and Mr J Webb (Defra)

Apologies:

Ms H Chambers; Mr M Dempsey; Mr G Stark (HSE); Mr A Burn (Natural England) and Dr C Snaith (HSE)

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 the Member 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.

1.3 The Chair welcomed a new Member to the Committee. Prof M Eddleston has joined the Committee as an expert in toxicology.

Agenda Item 2: Full Minutes of the previous meeting [ECP 1 (45/2021)]

2.1 The draft Full Minutes of the May 2021 meeting were agreed subject to minor amendments.

Agenda Item 3: Matters Arising and Forward Business Plan [ECP 2 (45/2021)]

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

3.2 It was noted that Members had considered by correspondence an application for the emergency authorisation under Article 53 of Regulation 1107/2009 for the use of 'Movento' (contains spirotetramat) as a third product to use as a foliar spray option to control *Myzus persicae* in order to protect against beet virus yellows (BYV) in sugar beet. The application presented updated information on the case for need, which was not included with the application Members discussed at their May 2021 meeting.

3.3 The Committee was asked to comment on the case for need for a third product for use as a foliar spray in GB and second product in NI, restricted to use where 'Teppeki' had been used as the first spray product and where relevant aphid thresholds are still met. Members noted 'Teppeki' is not authorised for use in NI. Members discussed the application, and their full advice can be found in Annex 1 of these minutes.

3.4 Members noted a point in the advice note for 'Benevia 10OD' on kale and collard and outdoor oriental brassicas in their April 2021 minutes that referenced an incorrect date included in the paperwork presented to the Committee (7th bullet point of paragraph 3).

The advice note consequently stated that a premature request for release of authorisation occurred in 2020, but this occurred in 2018 and 2019. This does not change the ECP's advice.

Agenda Item 4: Emergency Authorisation: 'Gazelle' on carrots and parsnip [ECP 3 – 3-1 (45/2021)]

4.1 The Government has received an application for emergency authorisation under Article 53 of Regulation 1107/2009 for the use of 'Gazelle SG', (containing 20% w/w acetamiprid) on carrots and parsnips, intended for the control of the aphid species: Willow-carrot aphid (*Cavariella aegopodii*), Peach-potato aphid (*Myzus persicae*) and Parsnip aphid (*Cavariella pastinacae*) which transmit various viruses to carrots and parsnip, in turn causing quality and yield issues. These viruses include Carrot yellow leaf virus (CYLV), Carrot motley dwarf virus (CMD) and Parsnip yellow fleck virus (PYFV).

4.2 The Committee was asked to advise on whether they agreed with HSE's risk assessment, and whether Members were aware of any additional information which may support the case for need and that HSE should consider. Members discussed the application, and their full advice can be found in Annex 2 of these minutes.

Agenda Item 5: Emergency Authorisation: 'Spotlight Plus' on seed crops of soya bean and linseed [ECP 4 – 4-1 (45/2021)]

5.1 The Government has received an application for emergency authorisation under Article 53 of Regulation 1107/2009 for the use of 'Spotlight Plus' (containing 60 g/L carfentrazone-ethyl) intended to be used as a desiccant on soya beans and linseed grown for seed production.

5.2 The Committee was asked to advise if the risk mitigation proposed by HSE is sufficient to address the predicted risks identified. Members discussed the application, and their full advice can be found in Annex 3 of these minutes.

Agenda Item 6. Emergency Authorisation: 'Spotlight Plus' on Corn Gromwell and Meadowfoam [ECP 5 – 5-1 (45/2021)]

6.1 The Government has received an application for emergency authorisation under Article 53 of Regulation 1107/2009 for the use of 'Spotlight Plus' (containing 60 g/L carfentrazone-ethyl) intended to be used as a desiccant on corn gromwell and meadowfoam.

6.2 The Committee was asked to advise on whether the risk mitigation proposed by HSE is sufficient to address the predicted risks identified and if Members were aware of any additional information which may support the case for need and that HSE should

consider. Members discussed the application, and their full advice can be found in Annex 4 of these minutes.

Agenda Item 7 Proposed review of the approach to assessing the risk to aquatic life from drainflow [ECP 6 – 6-1 (45/2021)]

7.1 HSE presented an information paper which outlined a proposal to conduct a review of the current approach to assessing the risk to aquatic life from exposure via drainflow, which has grown in a reactive manner over many years. The paper was intended to inform the Committee of the ongoing work and invite the thoughts of Members on how to proceed.

7.2 Members expressed their interest and support for the proposed review, and expressed their willlingness to remain engaged with HSE during the review.

7.3 Members noted:

- They felt the current approach was largely effective and that any revisions should seek to build upon it.
- They saw an effective system as one that encouraged flexiblity, has a clearly tiered escalation system with consistent increases in the effort required between tiers, and which allows for mechanistic links between ecology, ecotoxicology and fate and behaviour to be established.
- They would encourage revisions to develop intermediate tiers and simplify the process for substances that are clearly safe.
- The importance of grounding any models in the data available for actual drainflow exposure. Members further noted the various sources of data available, alongside the importance of adequate software in enabling the use of models.
- Changing weather patterns may affect the degree to which surface run-off could increase the risk to aquatic life. This review would provide an opportunity to assess the suitability of current modelling in addressing this issue.

Agenda item 8: Trial permit testing novel nucleopolyhedrovirus (NPV) [ECP 7– 7-12 (45/2021)]

8.1 The Committee was informed that this item had been withdrawn by HSE as further consideration was required before advice was sought.

Agenda item 9: Date of next meeting

9.1 28 September 2021 – full business meeting-to be held virtually

Agenda item 10: Any other business

10.1 Guidance documents update [ECP 8 (45/2021)]

10.1.1 HSE introduced a paper which provided an update to the Committee on guidance documents produced to facilitate the operation of Regulation No 1107/2009. The Committee noted the contents of the paper with thanks.

10.2 Emergency Authorisations received 2020/21 [ECP 9 (45/2021)]

10.2.1 Members were provided with a list detailing all emergency authorisations received by HSE in 2020-21. HSE received 43 applications, and ECP has provided advice on 31 of those. The Committee noted an emergency authorisation for 'Vydate 10G' had been authorised. Members have previously expressed concerns over Vydate; the Committee's most recent advice is available in the minutes of their meeting in May 2019. Members noted that ECP was not asked to provide advice for this most recent application for Vydate.

10.3 Buglife Correspondence [ECP 10 – 10-2 (45/2021)]

10.3.1 Members noted correspondence received from Buglife concerning the implications of pesticide use on insects and animals that feed on them. Members discussed the correspondence and agreed further discussion would be required as an agenda item in a future meeting.

ACTION: Secretariat

10.4 British Beet Research Organisation Correspondence [ECP 11 – 11-1 (45/2021)]

10.4.1 Members noted correspondence from the British Beet Research Organisation (BBRO) and the ECP response.

10.5 Brassica Growers Association Correspondence

10.5.1 The Committee noted correspondence received from the Brassica Growers Association regarding the ECP advice note for 'Benevia 10OD' on kale and collard and outdoor oriental brassicas. HSE have also received the same correspondence.

10.5.2 HSE informed the Committee they would be responding to address the points raised in the correspondence.

10.6 Chair's Report

10.6.1 The Chair noted the ongoing Defra review into the provision of independent scientific advice. Defra provided an update on the review and encouraged Members and Government representatives to complete the call for views which had been circulated. The Chair urged members to engage fully with the ongoing Defra survey.

ACTION: All

10.6.2 The Chair noted that recruitment was ongoing for three posts and informed the Committee of the expected timeframe for the process.

Agenda Item 11: Compliance and Enforcement Session

11.1 Members had requested a discussion session to gain a deeper understanding of how the compliance and enforcement aspects of the regulatory regime worked. Representatives from HSE's enforcement team, Rural Payment Agency, Environment Agency, BASIS and Red Tractor were invited to present to the Committee how the relevant rules and regulations work to mitigate the effects of pesticides having adverse impacts, how they are adhered to and what happens if there is a failure to comply with regulations.

11.2 The Committee expressed thanks to the individuals and groups involved in the presentations.

Ethan Clabby
ECP Secretariat
July 2021

ANNEX 1

ECP ADVICE TO GOVERNMENT: USE OF ‘MOVENTO’ ON SUGAR BEET

Issue

1. The Government is considering whether to grant an authorisation for use of ‘Movento’ (contains spirotetramat) under Article 53 of Regulation 1107/2009 to control *Myzus persicae* and protect against beet virus yellows (BYV) in sugar beet. At the April 2021 ECP meeting the Committee advised that a case for need had not, at that point, been demonstrated.

Action required

2. The Committee was invited to consider and comment on new evidence regarding the case for need that would allow ‘Movento’ to be used as a third spray where Teppeki had been used as the first spray, Insyst as the second spray and relevant aphid thresholds were exceeded.

Discussion

3. The Committee *noted* that:

- ‘Movento’ was considered at the April 2021 ECP as a possible third spray on sugar beet. Given the availability of two foliar sprays (‘Teppeki’ – contains flonicamid; ‘Insyst’ – contains acetamiprid) and the degree of uncertainty on whether any of the crop would still be at the susceptible growth stage coinciding with the predicted later aphid migration, the case for need for a third spray had not been made.

- It had previously advised that HSE should consider availability of data on comparative toxicity in scheduling use and authorisation. HSE reported that it had previously prioritised the ‘Insyst’ application because ’Movento’ benefits from warmer weather to optimise effectiveness and therefore would be more appropriate as a third spray. ECP has seen no efficacy data to verify this view, but confirmed that ‘Movento’ had substantially lower endpoints than ‘Insyst’ for aquatic toxicity.

- Noting the ECP advice, HSE had concluded that ‘Movento’ could be authorised as an alternative second spray (to ‘Insyst’) following ‘Teppeki’ and subsequently proposed use up to the 16 true leaf stage provided appropriate thresholds were followed, but had yet to issue an authorisation. ECP has not seen the data upon which this proposed extension of use beyond the 12 true leaf stage is based.

- To assess the case for need of ‘Movento’ as a third spray, information was needed to estimate the scale of risk (area of crop, locations, predicted losses etc.) and any pest population growth. It was recognised that gathering and reviewing this information within the time frames between a second and third spray was challenging but not impossible.

- Weather conditions have resulted in both delayed crop emergence and considerable variation in subsequent development within the national crop. It was estimated that only 18% of the crop had reached 6 true leaves by 24 May 2021, one of the slowest crop emergences in recent years (and widely distributed rather than confined to localised areas). Further calculations suggested the 12-leaf stage would be reached (based on assumed average temperatures) between 42-51 days later. The weather in early June had been warmer, which would encourage both crop development but also aphid activity.

- 21 June 2021 was 51 days after virtually all drilling had concluded (end of w/c 26 April 2021) so that the vast majority of crops will have already passed the susceptible stage.

- The latest BBRO bulletin (published 18 June 2021) was reporting healthy crop growth and no substantive concerns about *Myzus persicae* numbers.

- The evidence relating to aphid flight suggested that a very small proportion of the crop may still be at susceptible stages during a period when winged aphids were migrating from overwintering sites. Even so, for a significant majority of the crop the presently authorised two-spray programme would be sufficient. Some crop reseeding because of adverse weather conditions has been reported but there was no additional information to quantify the area that might still be at a susceptible stage.

- No data were provided on the comparative viral loading of migrating aphids nor on the numbers surviving the prolonged overwintering period. ECP were thus unable to judge whether the migration posed greater or lesser risk than previous years. The lack of data to substantiate a case for need prevented the quantification of the scale of risk; Government was being asked to authorise an insurance treatment rather than address a defined danger to the crop.

- There is a discrepancy between the proposals for the use of ‘Movento’ presented to ECP by HSE and the details of acceptable spray programmes in the Stewardship information where ‘Insyst’ is included as a potential third spray.

4. The Committee *agreed* with HSE’s evaluation that:

- There may be a need for a third spray, but only on an extremely small proportion of the national crop at most.

- Aspects of ‘Movento’s’ environmental risk profile suggested it posed less risk than ‘Insyst’.

5. The Committee *disagreed* with HSE’s evaluation that a case for need had been established.

6. The Committee *advised* that:

- It did not consider that an adequate case for need had been made to authorise the use of ‘Movento’ as a third spray.

- Government should consider whether applications for a nationwide authorisation that present no evidence for a national-scale defined danger, but suggest only the possibility of some crop loss in a small number of tightly-localised areas, actually constitute an emergency under Article 53, Regulation 1107/2009. If so, Government should provide guidance to ECP as to whether there needs be a minimum level of apparent risk.

Conclusion

7. On the basis of the evidence presented to ECP, the Committee agreed that, a case for need for a third spray had not been presented and therefore it did not support authorisation. The Committee does support the proposed use of ‘Movento’ as an alternative to ‘Insyst’ in a two-spray programme because of its lower environmental risk.

ANNEX 2

ECP ADVICE TO GOVERNMENT: USE OF 'GAZELLE SG' ON CARROT AND PARSNIP

Issue

1. The Government has received an application for emergency authorisation under Article 53 of Regulation 1107/2009 for the use of 'Gazelle SG' (20% w/w acetamiprid) on carrots and parsnips, for the control of the aphid species: Willow-carrot aphid (Cavariella aegopodii), Peach-potato aphid (Myzus persicae) and Parsnip aphid (Cavariella pastinacae) which transmit various viruses to carrots and parsnip, in turn causing quality and yield issues. These viruses include Carrot yellow leaf virus (CYLV), Carrot motley dwarf virus (CMD) and Parsnip yellow fleck virus (PYFV).

Action required

2. The Committee was requested to advise on whether:

- Members agree with HSE's risk assessment
- Members are aware of any additional information which may support the case for need that HSE should take into account

Discussion

3. The Committee *noted* that:

- This is the first application for this use.
- An emergency application is currently the only route to authorisation as it is not possible to authorise new uses in the period between renewal of the active substance and renewal of the product.
- The product would be used on carrots and parsnips grown in England, Scotland and Northern Ireland between May and September.
- Risks to the majority of non-target organisms are estimated to be acceptable, based on standard risk assessment practices.
- An acceptable risk to off-field non-target arthropods and aquatic life was estimated when a 5 metre buffer zone is implemented.
- The assessment did not predict an acceptable in-field risk to non-target arthropods following the proposed use in September as the time of application limits the potential for recovery.

- Fewer alternatives were available for growers in Northern Ireland than in Great Britain and no other data available that enabled a separate evaluation.

- The economic case for need conflated damage to conventional and organic crops and provided no means to quantify the potential benefits for conventional producers from this application.

- Less susceptible varieties are available, albeit with a yield penalty, but grower contracts inhibit their use and limit the potential for IPM.

- The residues data supported a 28 day post-harvest interval (PHI). However, it was noted that timing of growth stages is more useful to growers. It was uncertain whether the PHI could be commercially implemented in light of the acceptable GAP for use between growth stages 41-43 determined by HSE.

4. The Committee *agreed* with HSE's evaluation that:

- The risks to humans and the majority of non-target organisms are estimated to be acceptable, based on standard risk assessment practices.

- An acceptable risk to off-field non-target arthropods and aquatic life could be achieved when a 5 metre buffer zone is implemented.

- There is not an acceptable in-field risk to non-target arthropods as the latest application timing (September) limits the potential for recovery.

- The case for need in both GB and NI had not been met due to sufficient alternative fully authorised products being available.

- This is the first occasion the Committee was presented with HSE's view that a difference in control costs for an alternative spray does not support a case for need meeting the requirements of an emergency authorisation application under Article 53 of Regulation No. 1107/2009 (GB/NI).

5. The Committee *advised* that:

- There is an assumption underpinning the application that a delayed spring aphid migration because of colder winter conditions does not change either the peak numbers or the duration of flight periods, but there is no evidence to substantiate this.

- There was no clarity over criteria for spray decisions or whether such decisions once taken would lead to a calendar (prophylactic) spray programme.

- Government should provide guidance on whether the ECP should prioritise grower contracts over best IPM practice and under what circumstances.

- There are specific problems in terms of data generation from, and representation of, NI industry emerging as a consequence of the NI Protocol which need to be addressed.

Conclusion

6. On the basis of the evidence presented to ECP, the Committee agreed that, it cannot support the granting of an authorisation under Article 53 of Regulation 1107/2009 for either GB or NI because there were no substantiated cases for need and alternative products are available.

ANNEX 3

ECP ADVICE TO GOVERNMENT: USE OF 'SPOTLIGHT PLUS' ON SEED CROPS OF SOYA BEAN AND LINSEED

Issue

1. The 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 soya bean and linseed grown for seed production.

Action required

2. The Committee was requested to advise on whether the risk mitigation proposed by HSE is sufficient to address the predicted risks identified

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 0.1µg/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 5m 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 any data that were set as a condition when the previous emergency authorisation was granted.

- The permanent solution to the issue depends upon renewal authorisation by the UK. HSE have yet to receive a renewal submission from the owner and so the time to 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.

- No evidence has been provided by the applicant that seed from treated crop under the 2020 authorisation had not entered the human or animal food chain.

4. The Committee *agreed* with HSE's evaluation that:

- There is a lack of practical alternative chemical and non-chemical desiccation methods for soya bean and linseed crops grown for seed production.

- Risks to consumers from dietary exposures were acceptable for soya bean and linseed for seed production, and that a restriction that the product must not be used on soya bean and linseed crops that are destined for human or animal consumption must 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.

- 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.

- That use would be limited if restricted to seed crops

- The product must not be applied later than 23 September.

5. The Committee *disagreed* with HSE's evaluation that:

- Use of the product will be effectively limited because there is no evidence submitted with the application to show that this has been the case previously.

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 ECP considers that applicants, as the 'owners' of authorisations under Article 53 have the responsibility to ensure that all specified conditions of use are met to provide evidence of compliance if subsequent authorisations are required.

- HSE do not grant an emergency authorisation under Article 53 of Regulation No. 1107/2009 (GB/NI) unless the specified data requirements have been met in each application for use.

- The absence of any data to show that use to date has been limited and controlled, that seed from treated crops has not entered the human and animal food chain and the existence of substantive data gaps prevents a conclusion that the potential risks arising from this authorisation will be mitigated.

Conclusion

7. On the basis of the evidence presented to ECP, the Committee agreed that it does not support granting of an authorisation under Article 53 of Regulation 1107/2009 because there are no data showing how use has been limited and controlled (hence environmental risks mitigated), and that treated product has not entered the food chain.

ANNEX 4

ECP ADVICE TO GOVERNMENT: USE OF 'SPOTLIGHT PLUS' ON CORN GROMWELL AND MEADOWFOAM

Issue

1. The 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 corn gromwell and meadow foam.

Action required

2. The Committee was requested to advise on:

- whether the risk mitigation proposed by HSE is sufficient to address the predicted risks identified
- whether Members are aware of any additional information which may support the need for use on corn gromwell and meadowfoam that HSE need to take into account.

Discussion

3. The Committee *noted* that:

- This was the first application for these uses.
- 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 0.1µg/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 5m 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 permanent solution to the issue depends upon renewal authorisation by the UK. HSE have yet to receive a renewal submission from the owner and so the time to 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:

- The case for need is not immediately supported due to a lack of agronomic need for a desiccation aid unless field conditions are such that natural senescence is prevented. However, Members did note that it is difficult to predict in advance if a desiccant would be required as the need would be determined by weather conditions.

- If the product was authorised, the draft notice be held in reserve until the end of this season. Should conditions at harvest be such that it is not possible to allow the crop to senesce naturally so it cannot be swathed, the applicant must submit a detailed case supported by evidence

- No information had been provided on how the use would be limited and controlled other than the small area for which the use is proposed.

- It was unclear how a decision will be taken as to whether the product should be applied and how agronomists will be involved in the decision-making process.

- Application later than 23 September should not be permitted.

5. The Committee *disagreed* with HSE's evaluation that:

- 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 ECP considers that the applicant is responsible for the collection and submission of data showing that use has been limited and controlled and any other conditions set by the UK authority have been met, including a realistic timescale for the submission of data covering regulatory gaps identified by HSE.

- HSE do not grant an emergency authorisation under Article 53 of Regulation No. 1107/2009 (GB/NI) unless the specified data requirements have been met in each application for use.

Conclusion

7. On the basis of the evidence presented to ECP, the Committee agreed that it does not support granting of an authorisation under Article 53 of Regulation 1107/2009 because there is no mechanism for use to be controlled.