

The UK Expert Committee on Pesticides (ECP)

Full Minutes of the meeting of the UK Expert Committee on Pesticides (ECP) held 18 October 2022

The meeting was held as a hybrid meeting.

Those present:

Chairman:

Prof W Cushley

Members:

Mr J Clarke; Prof M Eddleston; Dr J Garratt; Mr M Glynn; Dr C Harris; Dr I Katsiadaki; Dr R Mann; Mr P Stephenson; Prof D Spurgeon; Prof M Whelan and Prof M Wright

Assessors:

Dr J Hughes (Scottish Government); Dr S Jess (DAERA); Ms E Jones (Welsh Government); Ms R Leete (Defra); Ms C McCartney-Collard and Mr D Williams (Defra)

Advisors:

Mr A Dixon (HSE); Mr B Maycock (FSA); Ms H Nakeeb (UKHSA); Dr J Newman (EA); Ms A Porter (Defra); Dr C Snaith (HSE) and Ms M Wade (HSE)

Others:

Ms F Beacon (HSE); Ms K Carter (HSE); Mr J Dale (HSE); Mr T Fisher (HSE); Ms S Godson (HSE); Ms S Goodchild (HSE); Mr M Hawkins (HSE); E Ingram (HSE); Ms S Mason (HSE); Ms S Mawer (HSE); Mr B Nutkins (Defra); Mr D O'Neill (Defra); Ms J SaintMart (HSE) and Mr A Wilder (HSE);

Apologies:

Prof R Blackshaw; Mr M Dempsey; Dr M Rose; Mr B McDonald (Welsh Government) and Ms G Reay (Scottish Government)

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 Four Members identified potential conflicts of interest. These were deemed to be non-personal specific conflicts and it was agreed they could remain and participate in the discussion on the relevant agenda item.

Agenda Item 2: Full Minutes of the previous meeting [ECP 1 (54/2022)]

2.1 The draft Full Minutes of the July 2022 meeting were agreed, subject to minor amendments.

Agenda Item 3: Matters Arising and Forward Business Plan [ECP 2 (54/2022)]

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.

Agenda Item 4: Independent Scientific Advice: Bixlozone [ECP 3 (54/2022)]

4.1 Bixlozone was first considered by the Committee in July 2022. HSE identified several areas that would require advice, and the Committee Members could explore any aspects of the risk assessment and underlying guidance they considered to be of interest.

4.2 The Secretariat introduced a working draft of the Independent Scientific Advice for Bixlozone. The Chair noted the Committee's thanks to HSE for the further analysis completed following their discussion at the July meeting, and to the applicant for submitting the requested data to HSE. Members formally approved the draft note as a true representation of the advice they provided, subject to amendments. The advice note will be submitted to HSE.

Agenda Item 5: Active Substance day-one review: Pydiflumetofen [ECP 4 (54/2022)]

5.1 HSE introduced the item, noting a concurrent application for the approval of Pydiflumetofen as an active substance was under consideration in the EU, with France as the rapporteur member state and Austria as the co-rapporteur. HSE had identified several potential areas that would require advice, and Committee Members could explore any aspects of the risk assessment and underlying guidance they considered to be of interest.

5.2 The Committee noted the study design around half-life modelling differed from standard studies, and that HSE would need to clarify if similarly designed persistence studies would be accepted in other cases, or if the use of this study reflected the longer half-life pydiflumetofen. They further noted the persistent nature of the substance was of concern when considering long-term accumulation and that in several areas the data provided was insufficient to reach conclusions.

5.3 The Committee held preliminary discussions on the issues identified by HSE and began to formulate their advice.

Agenda Item 6: Active Substance day-one review: Isoflucypram [ECP 5 (54/2022)]

6.1 Isoflucypram was first considered by the Committee in July and September 2019, and subsequently in November 2020 and January 2021. HSE noted they are seeking advice following the submission of additional data concerning the adverse effects for non-target species. Committee Members could explore any aspects of the risk assessment and underlying guidance they considered to be of interest. The Committee noted their thanks for the proactive approach taken by the applicant.

6.2 The Committee held preliminary discussions on the issues identified by HSE and began to formulate their advice.

Agenda Item 7: Emergency Authorisation: ‘Cruiser SB’ on sugar beet [ECP 6 – 6-1 (54/2022)]

7.1 The Government has received an application for emergency authorisation under Article 53 of Regulation 1107/2009 for the use of ‘Cruiser SB’ (contains thiamethoxam) intended to treat sugar beet against Beet virus yellow, transmitted by aphids (mainly *Myzus persicae*)

7.2 The Committee was asked to advise on:

- The agronomic conditions/practice (for example, market conditions, the availability of alternatives) which might affect the weight being afforded to the case for need as part of the decision-making process
- The evidential base/ways of viewing evidence and data that might result in the risk being assessed and viewed differently

7.3 Members discussed the application, noting no new evidence had been presented since they had previously considered the application in September 2021. They stated that, without new evidence or data, the advice provided in September 2021 remained unchanged.

Agenda Item 8: R&D and Independent Scientific Advice [ECP 7 (54/2022)]

8.1 HSE presented details of their R&D programme, noting they undertake a limited programme of pesticides-related research, mainly directed at scientific or technical developments of the risk assessment process.

8.2 HSE provided an example paper of this work, noting they were not seeking input on questions relating to this work but rather a discussion with the Committee on how Members could support the need to quality assure outputs and/or consider the implications of findings.

8.3 The ECP noted they were supportive of a HSE R&D programme and would be willing to advise on both the general direction of research and the particular outcomes of projects. They further discussed how HSE identifies priority areas, and the mechanisms for the ECP to engage with this.

8.4 HSE agreed to work with the ECP to establish a timeline and mechanism for bringing future R&D work to the Committee.

Action: HSE

Agenda Item 9: Chronic risk assessment report [ECP 8 – 8-1 (54/2022)]

9.1 HSE presented a draft report produced in combination with the Food Safety Agency (FSA) and Veterinary Medicines Directorate (VMD). The working group reviews current approaches, the various tiers at which assessments can be undertaken, the underlying uncertainty and identifies future research. The report identified the different remits for each organisation, and therefore the different expectations from chronic risk assessments, and has identified several potential areas for increased collaboration.

9.2 The ECP noted the divergence in how these bodies approached similar issues, and supported work to better refine, modernise and where possible align the models to reduce uncertainty risk assessments. They also noted the depth of the consumption data held by the FSA and the value of translating that data into HSE models, particularly when considering the age of the data currently held by HSE.

9.3 HSE stated they have an ongoing project to improve their consumption data and review the modelling they use around chronic risk assessments, including the possibility of probabilistic modelling. HSE further stated any recommended changes to the chronic dietary exposure assessment would be brought to the ECP for consideration.

Agenda Item 10: Regulatory Reform

10.1 Defra noted the change in their Ministers and updated the ECP on the new ministerial team and their respective briefs. They further presented on their regulatory reform work, noting horizon scanning as a priority area for development and invited comments from the ECP.

10.2 Members noted:

- The importance of horizon scanning, and their support for the development of a more robust scheme.
- The scientific and technical developments around testing capabilities, and the need to ensure regulatory frameworks reflect the increased power of in vitro testing for mechanistic studies and the reduction in need for animal experimentation.
- The importance of working with international partners to establish best practice across the scientific and regulatory communities.
- The relevance of climate change and to what extent it could undermine the assumptions and frameworks underpinning the current system.
- The possibility of invasive species and the need to have a system in place robust enough to react.
- The impact of potential product withdrawals, noting the need to account for changing market conditions and future regulatory developments.

10.3 The ECP reaffirmed their desire to engage with officials and bring their expertise to the review as discussions evolved.

Agenda Item 11: Update from Other Government Departments

11.1 Scottish Government

11.1.1 The Committee was informed that the Scottish Pesticide Usage report will be published on 26 October. The last Scottish Government Pesticides stakeholder meeting focused on Integrated Pest Management, while the next meeting held on 10 November will be focused on the role of retailers in crop protection practices.

11.1.2 The main focus at the official level continues to be ensuring they are representing the view of the Scottish government on pesticide governance and regulatory reform proposals.

11.1.3 Ministerial focus (Minister for Green Skills, Circular Economy and Biodeveristy) remains on the environmental impact of pesticides, with interest in the role of land use and management in pesticide use. There is a particular focus on bracken management need

and solutions, amenity management of recreational areas and the role of retailers in crop protection and production practices. The Cabinet Secretary for Rural Affairs and Islands also has interest in relation to crop protection and food security.

11.2 Northern Irish Government

11.2.1 The Minister has been approached for support on the Northern Ireland (NI) regulatory approval of the sprout suppressant 1,4 SIGHT containing the approved active substance 1,4-Dimethylnaphthalene (1,4 DMN). The Company stores approximately 10,500 tonnes of potatoes in their own stores and have been struggling to control sprouting using the alternatives since the withdrawal of approval of Chloropropham in 2020.

11.2.2 The application seeks an authorisation in Northern Ireland from November 2022 and proposes a restriction to prevent treated potatoes/potato products from being fed to animals. Any feeding restriction would be time limited until the new EU Maximum Residue Levels (MRL) come into force. Company officials have provided an assurance that they will not process treated potatoes until after 22 February 2022, which is after the new EU MRLs come into force. Therefore, exceedance of the current EU MRLs is not anticipated.

11.2.3 The Department of Agriculture, Environment and Rural Affairs (DAERA) have been in contact with Agriculture and Horticulture Development Board (AHDB) to ask whether AHDB would be able to support NI growers obtaining an NI Extensions of Authorisation for Minor Use (EAMU) for Teppeki on Carrots and on the wider issue of assistance to NI growers with EAMU applications. Going forward there are likely to be numerous occasions where the timing of EAMUs between GB and NI will not be able to align. NI Grower Groups are currently inexperienced and poorly-equipped to submit applications.

11.2.4 A recent primary production hygiene inspection by the Agri-Food and Biosciences Institute (AFIB) has raised an issue around labelling of products containing the active substance Captan. There are currently two products on the market with the same composition. However, one is labelled as 'not to be used on Bramley apples', while the other advises against the use but states that it has been used successfully and if doing so to test suitability for growing conditions.

11.2.5 Captan is in widespread use by bramley growers in the UK. Discussions with HSE are ongoing around the original approval of this active and related products, and as to whether enforcement on this issue is feasible; DAERA have also planned to meet with growers' groups and other stakeholders to raise awareness on this issue with Bramley growers and discuss how these discrepancies in labelling can be addressed with manufacturers.

11.2.6 DAERA have been dealing with a significant number of enforcement cases related to unauthorised products being advertised and sold online as moss killer. They include the sale of Iron Sulphate products including Ferromel 20 as a lawn fertilizer and moss killer and also chemical "washes" advertised as biocides/moss killer. The issue appears to be quite widespread.

11.2.7 DAERA received a case where professional products were being advertised for sale to amateur users via ebay. In establishing whether the product is being marketed to amateur (home garden) users, the intended use, whether clearly stated or implied, is considered. The products were listed under the category "Garden & Patio". Furthermore, nowhere in the listing is it cited that the product will only be sold to a professional user. In addition, one of the products contained the active substance Mancozeb which is no longer an approved active substance in the EU. The seller was contacted and the listings have been removed.

11.2.8 DAERA informed the Committee of discussions around temporary MRLs relating to maize intended for animal feed. They have been approached on the issue in relation to disruption caused by the Russian invasion of Ukraine. They currently do not have plans to implement temporary MRLs.

11.2.9 The online registration platform for businesses that produce, manufacture, process, import, distribute, sell, or otherwise place pesticides for professional use or their ingredients and adjuvants on the market to register with the competent authority launched in March. To date 15 businesses have registered. The registration process for the remaining operators is currently under development. Those involved in the sale of amateur products will be invited to register by mid-October followed by all professional users by mid-November. The legal registration date is by 31 December 2022.

11.3 Environment Agency

11.3.1 The Environment Agency (EA) has been asked by Defra to assess the usefulness of its environmental monitoring data to support the authorisation process. The EA is currently reviewing changes to increase the relevance of its data, and its monitoring program is intended to assess the environmental impact of chemicals on a larger scale, at river or catchment scale. The EA is keen to support the authorisation process more effectively.

11.3.2 The EA is keen to support the concept of 'one chemical, one assessment' as the monitoring data suggest that pesticides withdrawn under PPP regulations, but still authorised as veterinary medicines or biocides, present the highest overall risk to aquatic ecosystems assessed using the EA Ecological Risk Index tool.

11.3.3 Fungicides are now more frequently detected at higher concentrations as a result of climate change-driven weather condition, with Fluoxastrobin and Flufenacet presenting the greatest risk in this group. Fungicides present a problem for aquatic ecosystems by stimulating algal growth in surface waters, and the EA is collecting data to understand these indirect effects.

11.3.4 EA are actively monitoring thiamethoxam concentrations in their eight Catchment Sensitive Farming Network sites. While they have seen very few detections of Thiamethoxam since May, the frequency and concentrations of clothianidin detections have increased in their September data, probably as a consequence of rapid degradation

of thiamethoxam over the warm dry summer. The EA is continuing to monitor both compounds.

11.3.5 There have been no exceedances of the PNEC for Clothianidin as yet, but EA anticipate exceedances later in the year after the autumn rainfall events.

11.3.6 EA are planning a 3-year program of passive sampling at CSF sites to investigate the presence of currently authorised PPPs that are not detected above the LOD by spot sampling. This is to inform their work on the effects of mixtures of chemicals in the environment. Data will be available mid-2023 and will be shared with the committee.

11.4 UK Health Security Agency

11.4.1 The Committee on Carcinogenicity of Chemicals in Food, Consumer Products and the Environment (COC) will be holding a workshop on making developments in cancer risk assessment in the UK. The workshop will determine what definitive steps can be undertaken to make progress that could support improvement to the chemical risk assessment process and regulatory requirements, based on research undertaken over the last 10-20 years.

11.4.2 The COC has, for some time, been considering the suitability of the rodent 2-year bioassay as an appropriate basis for assessment of human cancer risk and is aware of a number of proposals and developments to move away from the assay, some of which include the use of new approach methodologies (NAMs). In addition, this assay has not been undertaken for a large number of substances (dependent on the regulations they fall under)

11.4.3 The workshop will consider these issues in the context of pesticides risk assessments and the Committee intends to plan further activities under different regulatory areas in the future. A representative of the ECP is invited to attend the workshop.

11.4.4 The UK Health Security Agency and the Environment Agency have published a joint report drafted on the request of Defra's Chemicals Delivery Board on an ['evaluation of the potential approaches to unintentional mixture risk assessment for future UK REACH assessments'](#).

11.4.5 The report evaluates whether a mixture assessment factor is a useful approach to address the potential risks arising from unintentional mixtures of chemicals under the UK REACH Regulation. This approach is also being considered by the European Union. Defra will be hosting a workshop on the report at the beginning of December to seek stakeholders' views.

Agenda Item 12: Date of next meeting

12.1 6 December 2022 – To be held in a hybrid manner.

Agenda Item 13: Any other business

13.1 Inseem Collective Expert Report [ECP 9 (54/2022)]

13.1.1 HSE presented the report, noting they consider it a balanced interesting analysis. The report notes varying degrees of association but does not identify causation. HSE does not feel it necessitates additional work or regulatory action.

13.2 Harmonised Risk Indicator Report [ECP 10 – 10-2 (54/2022)]

13.2.1 HSE presented the annual report, noting it does not indicate any issue of concerns. They felt, however, it was difficult to draw any wider conclusions on the sustainability of pesticide use from these indicators alone.

13.2.2 The Committee noted the Harmonised Risk Indicators (HRI) and agreed to discuss potential future indicators as a full agenda item at a later meeting.

Action: Secretariat

13.3 Chair's Report

13.3.1 The deputy Chair updated Members on the annual Defra Scientific Advisory Council (SAC) Chair's meeting. He highlighted ongoing work of the SAC to highlight the importance and role of Committees, promote collaboration across the SAC committees and ensure Committees are recruiting in an inclusive, modern, and effective manner.

13.3.2 The Chair noted were no applications for the Toxicology post. None of the candidates who had applied for the Dietary Exposure post was invited for interview.

**Ethan Clabby
ECP Secretariat
December 2022**