

**Department for Environment, Food and Rural Affairs**

# **Summary of responses to the consultation on the UK National Action Plan for Pesticides**

**February 2013**

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## Introduction

1. This document contains a summary of responses to the consultation on the draft UK National Action Plan for the sustainable use of pesticides. The consultation ran for 12 weeks between 31 July 2012 and 22 October 2012. 104 responses were received, including a 60,000 signature petition calling for a ban on a specific group of insecticides (neonicotinoids). The document details the main comments received and the Government response to these. The revised National Action Plan was published on 26 February 2013.

## Copies of consultation responses

2. Responses to the consultation are available from the Defra Information Resource Centre which will supply copies of consultation responses to personal callers or in response to telephone or email requests: tel 020 7238 6575 or email [defra.library@defra.gsi.gov.uk](mailto:defra.library@defra.gsi.gov.uk). Wherever possible, personal callers should give the library at least 24 hours notice of their requirements. An administrative charge will be made to cover photocopying and postage costs.

The consultation documents and a list of respondents are at Annexes A and B. One respondent requested that their response be kept confidential.

## Background

3. Directive 2009/128/EC requires EU member states to adopt National Action Plans (NAPs) to reduce the risks and impacts of pesticide use on human health and the environment and to encourage the development and introduction of integrated pest management and of alternative approaches or techniques in order to reduce dependency on the use of pesticides. Member States must describe in their NAP how they implement measures to implement requirements set out in the Directive. NAPs must take into account the health, social, economic and environmental impacts of the measures envisaged.

## Next steps

4. The UK Government and devolved administrations have considered the responses to the consultation. This is a joint response.

5. The UK's longstanding and rigorous regulatory regime for pesticides and other existing statutory and voluntary controls, incentive schemes and research programmes mean that it is well placed to prepare a comprehensive and effective NAP. We do not consider that fundamental changes need to be made to the measures in the draft NAP. However some amendments have been made to clarify the objectives, targets and

timetables for these measures and some additional information has been added from respondents. These are detailed in the 'Summary of Responses' which can be found at Annex A.

6. The Government has communicated the NAP to the European Commission and other member states. Using the expertise of the stakeholder Pesticides Forum, the Government will continue to monitor the health, social, economic and environmental impact of the measures detailed in this Plan and where necessary update it. NAPs must be formally reviewed every 5 years, although it is recognised that Government and non-Government initiatives may change within this period and periodic major or minor updating of the Plan may be appropriate to ensure that the Plan forms a "living" document.

# Annex A: Summary of consultation responses and government response

## The National Action Plan

1. Opinion was divided between those respondents who supported the proposed approach and those who felt that the NAP should include additional elements and/or be more ambitious. Those who held the latter view took the view that the NAP: lacked quantitative objectives, targets, measures and timetables; should include a commitment to reduce pesticide use; and should list active substances of concern.

1.1 The Government has redrafted the NAP to ensure references to objectives, targets, measures and timetables are more readily identified. We do not, however, consider that persuasive evidence has been submitted to demonstrate that it is proportionate to set more ambitious measures in the UK to reduce risks and use of pesticides than those existing and new actions described in the NAP.

1.2 The Directive requires member states to include indicators to monitor the use of products containing active substances of concern. The NAP will not identify active substances of concern. However, the UK pesticide usage survey monitors the use of all active substances and detailed information is published on the Internet.

2. A number of respondents (including a petition with over 60,000 signatures) suggested that the NAP should refer to protection of bees and other pollinators.

2.1 The Government recognises that a number of stakeholders have concerns that use of certain pesticides are adversely impacting the health of bees and other pollinators. The Government takes this issue very seriously and is actively examining the evidence on this issue. However, the concerns raised need to be dealt with through the pesticide authorisation process. They do not relate to the way products are used, stored or disposed of, and so it is not, therefore appropriate for the NAP to address this issue.

## Training

3. There was widespread recognition that compulsory training for users was an appropriate and necessary measure, even if this went beyond the requirements of the Directive. A number of stakeholders advocated compulsory training for distributors and advisors, and continuous training for users, distributors and advisors.

3.1 The UK already had in place a robust and comprehensive training and certification regime for those who work with pesticides. The Government agrees that it is important that this continues, since training is the key route to ensuring that those who work with

pesticides understand what to do in order to maximise the protection of human health and the environment.

## **Controls on sales**

4. A number of stakeholders suggested that the NAP should address the control of sales of pesticides over the Internet.

4.1 Distributors who sell pesticides through the Internet are covered by national legislation, and this has been made clearer in the NAP.

## **Information and awareness raising**

5. Comments on this part of the draft NAP were relatively limited. The small number of stakeholders who commented thought that the measures under this heading in the NAP were insufficient and/or suggested some additional information to help populate this part of the Plan.

5.1 The Government considers that there is a wide range of existing sources of information as described in the NAP and has added the appropriate information provided by respondents. The provision of information through Government websites and helplines is kept under review to ensure it meets the needs of users.

## **Inspection of application equipment**

6. A number of stakeholders felt that application equipment should be tested on a more frequent basis than set out in the draft NAP. A contrary view was put forward by one stakeholder who suggested that overly-onerous testing regimes may result in greater use of contractors, with less optimal timing of pesticide applications. Another stakeholder suggested that as amenity machinery was used in 'higher risk' situations (close to water, the public or on hard surfaces) it should be subject to regular testing.

6.1 The Government believes that to require more frequent inspection than that required under the Directive would represent a significant gold plating of the legal obligations set out in the Directive and would place an unnecessary burden on agricultural businesses. However, there is a legal obligation, under the Sustainable Use Directive, for professional pesticide users to conduct regular calibrations and technical checks of the plant protection product application equipment they use; this is intended to ensure that equipment is kept in good working order between inspections.

6.2 In addition, the UK has a very good voluntary annual inspection regime with a high level of take up across the farming and growing sectors, driven by farm assurance schemes. The Government supports this approach by the industry.

## **Aerial spraying**

7. Comments on this part of the draft NAP were relatively limited. The few stakeholders who commented were supportive of the approach and/or noted the need to develop procedures to deal with emergency situations.

7.1 The Government agrees that there is a need to develop procedures to ensure that safe aerial applications of pesticides can take place in emergency situations. This is, however, an administrative issue which need not necessarily be included in the NAP at this point in time.

## **Protection of the aquatic environment and drinking water**

8. Stakeholders submitted a wide range of comments. Common themes included:

- the need to ensure that different government and industry initiatives relating to the protection of water worked more closely together;
- the need for consideration to be given to doing more than relying on existing mechanisms and measures; and
- the need for attention to be focussed at specific situations and issues where there was greater risk to water.

8.1 The Government agrees that there is scope to improve the co-ordination of different initiatives relating to the protection of water and will use activity resulting from this NAP and work to update River Basin Management Plans to facilitate this.

8.2 We also agree that consideration be given to use of additional mechanisms and measures. The NAP will therefore include reference to a Defra-funded research project that is seeking to identify additional regulatory and non-regulatory mechanisms and measures that could be used to ensure pesticide pollution of water does not result in non-compliance with the requirements of the Water Framework Directive.

8.3 The Government believes that the NAP addresses use, storage and disposal practices that pose particular risks to water (for example, use in the non-agricultural sectors and handling and storage practices).

## **Reduction of use or risk in specific areas**

9. Stakeholders, principally those with a focus on protection of wildlife suggested the use of 'safeguard zones' in conservation areas (these would initially be established on a voluntary basis, but made statutory if voluntary approaches were not successful). These

zones would establish a series of requirements dependent on vulnerable species and habitats and provide a focus for co-ordinating existing activities in these areas.

9.1 The Government notes that use of pesticides in conservation areas is already carefully controlled under, for example, consenting arrangements which exist under nature conservation legislation. We will however discuss this suggestion with the statutory nature conservation organisations.

10. One stakeholder suggested that the NAP include a commitment to develop legislation to criminalise the possession of pesticides for which there is no legal use to help prevent illegal use to poison birds of prey.

10.1 It is already an offence under pesticides legislation to use, sell, supply or store the main pesticides used to poison birds of prey (as the relevant authorisations were withdrawn many years ago). The Government in England does not believe creation of a specific offence of possession would help prevent or prosecute illegal poisoning.

11. A number of respondents felt that the NAP should be used to prohibit the use of pesticides in fields adjacent to residential areas. A number of individuals wrote detailing alleged examples of bad spraying practice in support of this view.

11.1 It is, of course, not possible to legally use a pesticide until it has been authorised for use following an assessment of the risks the application of that product would pose. Article 12 of the Directive on the sustainable use of pesticides requires member states to ensure that the use of pesticides is minimised or prohibited in areas used, amongst others, by residents subject to high pesticide exposure over the long term. The Government has a long-standing policy of promoting minimisation of pesticide use in all situations and believes this can best be achieved by trained users working in accordance with the relevant Codes of Practice, Standards Schemes or government and/or industry guidance.

11.2 The Government does not believe that the Directive allows member states to prohibit use in fields adjacent to residential areas. This is because: residents who live adjacent to agricultural areas are not subject to high pesticide exposure; agricultural fields adjacent to residential areas are not, generally, 'used' by the general public; and during negotiations to conclude the text of the Directive proposals to include a requirement that these restrictions would apply to fields adjacent to residential areas were considered, but not included. The Directive includes a requirement that use be prohibited or minimised in the close vicinity of healthcare facilities; there is no equivalent requirement for residential properties.

11.3 Bad spraying practice may be an offence (for example, users are legally obliged to take all reasonable precautions to protect human health and the environment when applying pesticides). The Government would encourage members of the public who observe bad practice or experience adverse impacts from pesticide applications to report details to the relevant authorities.

12. A number of respondents commented that the practice of users in the amenity sector would not result in pesticides being used sustainably and that stronger controls or regulation were appropriate.

12.1 The Government agrees that there is a need to increase the adoption of good practice in this sector. However, we do not feel it is appropriate to regulate at this time. The amenity sector is extremely diverse and, within the industry, the knowledge and expertise exists to ensure that pesticides are applied to the very highest standards. The Government will work with the amenity industry to develop appropriate practical guidance and advice and explore how this can be rolled out and adopted by users.

## Handling and Storage

13. Relatively few comments were received on this aspect of the draft NAP. Common themes related to the need for improved guidance on disposal and storage practices.

13.1 The Government agrees that there is scope to update and improve guidance and will do so in conjunction with our stakeholders and when the relevant Codes of Practice are updated.

## Integrated Pest Management (IPM)

14. A number of respondents felt that the NAP should be more ambitious in the promotion of low-pesticide input pest management including IPM. Common themes included:

- the need to develop a definition of IPM;
- the need for crop-specific guidance;
- incorporating IPM in agri-environmental and assurance schemes; and
- use of extension services to promote this method of pest, weed or disease control.

Other stakeholders questioned whether IPM could deliver sufficiently effective control.

14.1 The Government recognises the concerns over the need for a common definition of IPM but considers that the existing definitions in Annex 3 of the SUD should continue to form the basis for all future work. Agri-environmental schemes already support a number of principles of IPM and we will continue to ensure that these schemes continue to support IPM-related developments. Government is working closely with those in the industry to help provide crop-specific guidance on IPM which in turn should help assurance schemes in setting consistent protocols. We are also working with the Agriculture and Horticulture Development Board and training organisations to ensure that consistent messages, promoting IPM-related means of control, reach all professional users of pesticides.

14.2 Overall, the Government believes that IPM forms the basis for good practice in both the agriculture and amenity sectors. We will continue to work with key stakeholders in those sectors to ensure that users have access to the right information on all the available options to help deal with pests, weeds and diseases whilst protecting, and where possible enhancing, the environment.

## Indicators

15. Respondents' opinions were divided amongst those stakeholders who felt the current suite of indicators was sufficient and those who felt additional information would be required.

15.1 The UK pesticide indicators report is compiled by the stakeholder Pesticides Forum. The Government will ensure the Forum is notified of all suggestions for additional indicators, with a view to considering their suitability.

## **Annex B: List of respondents**

38 Degrees [petition]

Agropharm Limited

Association of Applied Biologists

Agricultural Engineering Association

Amenity Forum

Agricultural Industries Confederation

Agriculture and Horticulture Development Board

British Association of Landscape Industries

British Association for Shooting and Conservation

BASIS (Registration) Limited

Bayer CropScience Limited

Blue Planet Hydrogen Limited

British Beekeepers Association

British Christmas Tree Growers Association

British Crop Production Council

British Fruit Growers' Association

British Herb Trade Association

Buglife

Centre for Ecology and Hydrology

Chartered Institution of Wastes Management

College of Agriculture, Food and Rural Enterprise

The co-operative

Country Land and Business Association

Crop Protection Association

Environment Agency  
Farmers' Union of Wales  
Fresh Produce Consortium  
Friends of the Earth  
Garden Organic  
Ian Gower Associates  
International Biocontrol Manufacturers' Association UK  
Micron Sprayers  
Natural England  
NIAB TAG  
National Farmers' Union  
National Farmers' Union Cymru  
National Farmers' Union of Scotland  
Nomix Enviro  
Pesticides Action Network UK  
Royal Holloway  
Royal Horticultural Society  
Royal Society for the Protection of Birds  
Soil Association  
Scottish Agricultural College  
Scottish Beekeepers' Association  
Scottish Natural Heritage  
Scottish Water  
The Scotts Company (UK) Limited  
Sustain: the alliance for better food and farming  
Thames Water

UK Pesticides Campaign

UK Vineyards Association

Ulster Farmers' Union

Wildlife and Countryside Link