The UK Expert Committee on Pesticides (ECP)

Full Minutes of the meeting of the UK Expert Committee on Pesticides (ECP) held on 24 September 2019

Those present:

Chairman:

Prof W Cushley

Members:

Prof R Blackshaw; Ms H Chambers; Mr R Davis; Ms J Dean; Dr M Hare; Prof T Lock; Dr R Mann; Prof R Shore; Prof A Smith and Dr M Whelan

Assessors:

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

Advisors:

Mr A Dixon (HSE); Mr D Flynn (HSE); Ms C Lowther (Defra); Ms G Madgwick (Natural England); Mr B Maycock (FSA); Dr H Nakeeb (representing Department of Health); Dr J Newman (Environment Agency); Dr C Snaith (HSE) and Ms M Wade (HSE)

Others:

Mr K Adams (HSE, item 14 only); Ms L Barnett (Fera, item 7 only); Mr P Brian (HSE, item 10 only); Mr J Chambers (HSE, item 10 only); Mr M Fryer (HSE, item 7 only); Ms A Gane (HSE, observer); Mr P Hamey (HSE, item 9 only); Ms M Kurzawa-zegota (HSE, observer); Ms S Mason (HSE); Ms K Parker (HSE; observer); Mr P Spurrier (HSE, item 4 only) and Mr S Swinton (HSE);

Apologies:

Mr M Dempsey; Prof T Hutchinson; Dr C Morris; Dr S Wilkinson; Ms S Hugo (Defra) and Mr M Williams (Welsh 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 are 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. None of the members had any declarations of interest to declare.

Agenda Item 2: Full Minutes of the previous meeting [ECP 1 (31/2019)]

2.1 The draft Full Minutes of the July 2019 meeting were agreed.

Agenda Item 3: Matters arising and Forward Business Plan [ECP 2 (31/2019)]

3.1 The Secretary 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 HSE highlighted their intention to work with Members to update the current applicant guidance that is available for emergency authorisation applications.

ACTION: HSE

Agenda item 4: Regulatory Assurance presentation [ECP 3 (31/2019)]

4.1 HSE gave an overview of the Chemical Regulation Division’s Regulatory Assurance process introduced in January 2018. The presentation explained each stage of the internal process that has been put in place to ensure that decisions taken on all applications of active substances and products are reached in a consistent way. The process is targeted, transparent and ensures there is accountability at each stage.

4.2 Members noted it is a robust and well-tiered process, and suggested some minor presentational points for consideration if the documentation was to be made publicly available.

Agenda item 5: Review of active substance: Epoxiconazole [ECP 4 (31/2019)]

5.1 HSE introduced the item as the second active substance subject to trial arrangements for the provision of independent scientific advice relating to the approval of active substances in the event of the UK leaving the EU without a deal. The Executive had identified a number of potential issues that could require advice, but Committee
Members could explore any aspect of the risk assessment and underlying guidance that they considered to be of interest.

5.2 HSE explained that the UK had acted as the Rapporteur Member State (RMS) for the EU approval of expoxiconazole. The draft Renewal Assessment Report (RAR) was subject to peer review by the Co-RMS, Poland, who have taken over the role of RMS for the remaining stages of the EU process.

5.2 The Committee had a preliminary discussion on a number of issues identified by HSE and undertook to develop thinking ahead of a further discussion at its November meeting, following which advice would be provided. During the discussion Members confirmed the issues they wished to consider further. They undertook to consolidate these for HSE to consider or take forward with the applicant where necessary.

**ACTION: Secretariat**

5.4 The Committee thanked HSE for their analysis and discussions.

**Agenda item 6: Update on active substance: Isoflucypram [ECP 5 – 5-1 (31/2019)]**

6.1 HSE introduced this item which followed an initial consideration at the July 2019 meeting. Isoflucypram is potentially the first active substance to be considered under national arrangements for approval of pesticides in the event of the UK leaving the EU without a deal. The Executive presented responses to the questions that Members raised following their initial discussions on the Draft Assessment Report (DAR). A number of the questions had been addressed by HSE specialists and others answered by further information provided by the applicant.

6.2 HSE noted the applicant had also provided an update on the progress with studies to address outstanding data requirements. An amended DAR would, in the event of a no deal exit from the EU, be brought to the Committee for independent scientific advice at a future meeting.

6.3 The Committee endorsed this approach and provided advice on those areas of the DAR which would not be amended or affected by the outstanding data requirements. It was noted that the Committee’s advice would be included in the Conclusion of the Competent Authority compiled to assist with the regulatory decision on approval of the active substance.

6.4 The Committee thanked the applicant for their responses and engagement with this trial process.
Agenda item 7: Overview of new post-registration pesticide monitoring scheme project

7.1 A representative of this Defra-sponsored project gave a presentation to the Committee outlining the aims, scope and activities as well as potential outcomes and next steps.

7.2 It was reported that there are multiple existing monitoring schemes, but none monitor across multiple environmental compartments to identify potential adverse impacts of pesticide use at different scales. The project had identified and assessed the suitability of a number of schemes, ranking them in terms of readiness to provide relevant data/information.

7.3 The project had suggested there was a need to monitor: pesticide usage, residues in soil, chick-food availability; terrestrial invertebrates, pollinators and vertebrates. It was noted that the current arrangements do not enable all these issues/environmental components to monitored in depth. The project had identified potential gaps in the monitoring of: non-target plants and arthropods; amphibians and reptiles; long-term reproductive effects; and consideration of urban and amenity pesticide uses.

7.4 The desired outcomes of the project are to facilitate a shift in focus from monitoring pesticide use and wildlife poisoning (currently monitored by the Wildlife Incident Investigation Scheme), to integrating measures and effects of exposure to provide a more holistic assessment. The aim was to develop a better understanding of normal agronomic practice, improve the ability to inform risk assessments, track risk mitigation outcomes and potentially have earlier warning of unexpected events.

7.5 Members were supportive of the approach being taken and observed that the project had the potential to improve detection of the consequences of pesticide use.

Agenda item 8: Annual Product stewardship review

8.1 HSE gave an update on the stewardship scheme in place for products which contain certain active substances which has been authorised on the condition that the use be accompanied by a stewardship programme. The only active substance still subject to such arrangements is aminopyralid. HSE reported that they had met with the stewardship group. A paper giving a full update on the stewardship activity will be shared with the Committee at a future meeting.

ACTION: HSE

Agenda item 9: Negligible Exposure [ECP 6 – 6-4 (31/2019)]

9.1 HSE introduced a paper noting that guidance permits the approval of pesticides that may otherwise be refused if negligible exposure can be demonstrated. The paper outlined
work within the EU to develop guidance on defining negligible exposure. It was noted that
the draft guidance addressed human health, but not environmental factors.

9.2 Members noted that the draft guidance did not appear to clearly differentiate
between negligible risk and negligible exposure and whether something that was at an
undetectable level should, or even could, be considered in a risk assessment.

9.3 It was agreed that this issue would benefit from further discussion and would be
brought back to a future meeting. Members asked HSE to provide worked examples of
how the application of the guidance might impact on regulatory decision-making.

ACTION: HSE

Agenda item 10: Emergency Authorisation: ‘Cuprokylt’ on pome fruit
and stone fruit [ECP 7 – 7—7 (31/2019)]

10.1 The Government has received an application from the Agriculture and Horticulture
Development Board (AHDB) for an emergency authorisation for use of the product
‘Cuprokylt’ (a wettable powder containing 87.8% w/w copper oxychloride) for use on pome
fruit (apple and pear) to control canker (Neonectria ditissima) and stone fruit (cherry, plum
and apricot) to control canker (Valsa leucostoma) and bacterial canker (Pseudomonas
species including syringae).

10.2 The Committee was requested to advise, in the event of an authorisation being
granted, whether a restriction should/could be imposed limiting the maximum total dose of
copper substances from all sources (so including non-plant protection product sources) to
a maximum of 4kg/ha per annum, due to concerns with accumulation to toxic levels in soil.

10.3 The Committee noted that:

- Commission Implementing Regulation (EU) 2018/1981 renewing the approval of
copper included provisions that allowed Member States to consider granting
authorisations restricting copper inputs from all sources.

- HSE had:
  - Concluded that the dietary risk assessment did not identify any concerns for
consumers of treated crops.
  - Concluded that the environmental fate and behaviour assessment had
indicated that Predicted Environmental Concentration values were above the
Regulatory Acceptable Concentration.
  - Identified potential high risks to aquatic life and soil macro-organisms other
than earthworms. In addition, potential high risks were identified for birds and
mammals from some of the treatments covered by this application.
  - Reported that a number of alternative products are available for canker
control, however, further work was required to integrate these into a
programme enabling effective season control. HSE was, consequently, of the
view that there was, as yet, no demonstrable means of controlling canker using these products.

10.4 The Committee concluded that:

- It did not have sufficient information available to advise on whether setting a maximum limit on inputs of copper (from all sources) would afford an appropriate degree of mitigation. Members recalled a previous discussion, in which it was observed that the absence of rotational cropping systems in orchard situations could result in repeated annual applications of copper to these areas. The persistent nature of copper would be expected to result in increasing environmental concentrations over time. The ECP did not, therefore, consider the potential negative environmental impacts to be transient and/or resolvable.

- It agreed with HSEs assessment of the risks associated with the proposed uses.

10.5 ECP also took the view that:

- As copper was a substance used in a range of products there was a likelihood that if the emergency authorisation application was not granted the chemical would be applied to the crop as, for example, a fertiliser.

- There was a tension between HSEs conclusion accepting the case for need and identifying the potential for an integrated control programme.

- If the authorisation were granted use was expected to take place on a relatively limited scale (1500ha of stone fruit and 5500ha of pome fruit). The Committee also supported HSEs suggestion that any authorised use be conditional on the recommendation of a suitably qualified agronomist represented some degree of ‘control’.

- The potentially significant environment risks associated with the proposed use are irreversible and outweigh the benefits understood to be associated with the granting of an authorisation. On the basis of the evidence available to it the Committee did not support the application.

**Agenda item 11: Official Controls: update on review**

11.1 HSE informed the Committee that the Official Controls Regulation (EU) 2017/625 which would apply to enforcement of potentially all pesticide regulations would come into force on 14 December 2019. The Regulation will unify the system and control activities across food and feed law, animal health and welfare, plant health and pesticides work, but will not change authorities currently conducting these activities.

**Agenda item 12: EU Guidance documents [ECP 9 (31/2019)]**

12.1 HSE introduced a paper which provided an update to the Committee on guidance documents produced to facilitate the operation of Regulation (EC) No 1107/2009. The paper highlighted new guidance on dermal absorption and reporting methods for data
requirements as well as the imminent adoption of new guidance on the bee risk assessment.

**Agenda item 13: Date of next meeting**

13.1 Afternoon of 18 November 2019 – Foss House, Kings Pool, York – for Members to meet with HSE specialists to discuss an upcoming active substance dossier.

13.2 19 November 2019 – Foss House, Kings Pool, York – Full business meeting

**Agenda item 14: Any other business**

14.1 First Authorisation of product containing active substance new to the UK – 'Requiem Prime' [ECP 10 – 10-2 (31/2019)]

14.1.1 HSE introduced a paper for information relating to an application for the first authorisation in the UK for ‘Requiem Prime’ (contains terpenoid blend QRD 460) as an insecticide and acaricide on protected crops of pepper, aubergine, cucumber, courgette, melon and ornamentals The Committee noted the authorisation.

14.2 Chairs report

14.2.1 The Chair noted that an urgent request for advice on an emergency authorisation application would be required before the Committee next met in November 2019. Members were requested to be ready to provide comments by correspondence.

14.2.2 The Chair updated the ECP on the current recruitment process. The application period had now closed and interviews would take place in the next few weeks. Successful candidates would join the Committee at the November 2019 meeting.

14.2.3 Consideration was being given to the timing of a future Open Meeting. The Committee were also invited to consider the implications of holding ECP meetings in locations other than York (or occasionally London).

Rachel Merrick
ECP Secretariat
November 2019