

# Full Minutes of the meeting of the UK Expert Committee on Pesticides (ECP) held 12 September 2023

*The meeting was held as a virtual meeting.*

## **Those present:**

### **Chair:**

Prof W Cushley

### **Members:**

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

### **Assessors:**

Dr S Jess (DAERA); Ms L Fielding (Welsh Government); Ms G Reay (Scottish Government) and Mr D Williams (Defra)

### **Advisors:**

Ms H Alpren (HSE); Mr A Dixon (HSE); Mr D Flynn (HSE); Mr M Fryer (HSE); Ms H Nakeeb (UKHSA); Dr J Hingston (HSE); Dr J Newman (Environment Agency); Ms A Porter (Defra); Dr S Qassim (Natural England); Mr P Shannon-Hughes (Natural England); Dr C Snaith (HSE); Mr G Stark (HSE) and Ms M Wade (HSE)

### **Others:**

Ms F Beacon (HSE); Ms P Croft (HSE); Ms C Dorrian (HSE); Ms S Elliot (HSE); Mr P Gibbins (HSE); Mr N Graham (HSE); Ms P Haskey; Ms A Porter (Defra) and Mr W Turley (HSE)

### **Apologies:**

Prof T Lock; Mr B MacDonald (Welsh Government); Mr B Maycock (FSA) and Ms C McCartney-Collard

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

1.3 The Chair welcomed Prof J Coulson who has joined the Committee as an expert in toxicology and Dr A Rowbotham who has joined the Committee as an expert in dietary exposure.

1.4 The Committee took a moment to note their deep condolences at the passing of Deputy Chair and long-standing committee member, Professor Rod Blackshaw. The Chair noted Rod had worked with passion and dedication throughout his time on the Committee and was a good friend to many of those present.

## **Agenda Item 2: Full Minutes of the previous meeting [ECP 1 (61/2023)]**

2.1 Members agreed the Full Minutes of the July 2023 meeting, subject to minor amendments.

## **Agenda Item 3: Matters Arising and Forward Business Plan [ECP 2 (61/2023)]**

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 The Secretariat noted that the forward business plan presented in paper ECP 2 (61/2023) had been updated since the paper was produced, the Secretariat will circulate the updated version after the meeting.

**Action: Secretariat**

## **Agenda Item 4: Emergency Authorisations: 'Cruiser SB' [ECP 3 – 3-1 (61/2023)]**

4.1 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*)

4.2 The Committee was asked to advise on:

- Whether, in order to further minimise the use of ‘Cruiser SB’ under any emergency authorisation, there are any further practical measures which could be linked to an authorisation that would better support those growers who choose not to use ‘Cruiser SB’ to reduce risks from aphids and virus infection?
- Are there any additional practical measures, or further research, that could be undertaken to identify areas and agronomic conditions which present the highest risk of Beet yellows virus, to further target use of ‘Cruiser SB’ treated seed (where the trigger has been met)?
- Whether it has any advice for revising or refining the HSE proposed data requirements should ‘Cruiser SB’ be authorised and used in 2024?

4.3 Members discussed the application, and their full advice can be found in Annex 1 of these minutes.

## **Agenda Item 5: Updates from Other Government Departments**

### **5.1 Scottish Government**

5.1.1 A bracken stakeholder roundtable meeting was organised following Scottish Ministers’ agreement to the HSE decision to refuse the 2023 emergency authorisation application for the use of ‘Asulox’ for control of bracken in Scotland. The meeting was held on the 29<sup>th</sup> of August and attended by Mairi Gougeon, Cabinet Secretary for Rural Affairs, Land Reform and Islands and Lorna Slater, Minister for Green Skills, Circular Economy and Biodiversity.

5.1.2 The meeting was attended by a wide range of stakeholders with an interest in bracken. The purpose of the meeting was to exchange knowledge and discuss options that could support solutions, as part of an integrated management approach, for the challenges that bracken presents. Stakeholders generally agreed that provision of clear best practice guidance for bracken control should be a priority as well as supporting research in Scotland on mapping and tracking the presence of bracken. NatureScot are working with Natural England, Natural Resources Wales and DAERA (Northern Ireland) towards developing a Strategic Bracken Framework, which can be adopted UK wide.

5.1.3 In July this year, Scotland’s Centre of Expertise for Plant Health published a Targeted Analysis of the Impact of Insecticide Withdrawals in Scotland, in the Context of Alternative Control Options. The report can be downloaded from the PHC website: [A targeted analysis of the impact of insecticide withdrawals in Scotland, in the context of alternative control options | Plant Health Centre](#)

5.1.4 The Scottish Government is working with the other administrations on development of legislation to extend EU-Exit transitional arrangements for the import of treated seeds and parallel trade permits on a temporary basis. In line with the protocol between Scottish Ministers and the Scottish Parliament, the Rural Affairs and Islands Committee has been

notified of Scottish Ministers intention to consent to the UK Government making provision in a devolved area by a statutory instrument.

## **5.2 Northern Irish Government**

5.2.1 The NI Assembly has been suspended since February 2022. This, together with the summer period has resulted in limited scope for strategic policymaking outside the routine public service delivery. However, DAERA continues to monitor divergence between GB and NI, and communicates information to NI growers through contacts in the Ulster's Farmer Union and College of Agriculture, Food and Rural Enterprise. HSE provides DAERA with significant support in this regard.

5.2.2 DAERA has developed an online registration process for pesticide operators, though this has had limited uptake from the industry. To improve national registration, DAERA conducted a letter/email drop to various groups of amenity users and retailers, and while we had some increase in response, registrations remain limited. This work will continue as resources allow.

5.2.3 Work continues with HSE to confirm a National Reference Laboratory for NI, but this is not yet complete.

## **5.3 Welsh Government**

5.3.1 The Welsh Government remains focused on working closely with the other UK governments on progressing the NAP to publication, developing GB legislation to extend provisions for treated seed and parallel trade and developing the Active Substance Review Programme for GB.

5.3.2 They have recently met with the National Farmers Union Cymru, who reiterated their concerns over non-approval for an emergency authorisation for Asulox to control bracken in 2023 and to highlight their concerns for 2024.

## **5.4 Defra**

5.4.1 Defra noted the intention remains for the National Action Plan on the Sustainable Use of Pesticides (NAP) to be published before the end of the year.

## **5.5 Environment Agency (EA)**

5.5.1 The EA provided environmental monitoring data of thiamethoxam and clothianidin to the HSE in support of the assessment of an emergency approval for 'Cruiser SB'. Data from 2022 showed few detections of thiamethoxam after an initial post sowing period due to the prolonged dry conditions; however, clothianidin was detected at higher-than-expected frequency from September 2022 onwards.

5.5.2 The EA continues to monitor for all neonicotinoids and data are updated monthly. They noted the data are available at <https://www.data.gov.uk/dataset/0c63b33e-0e34-45bb-a779-16a8c3a4b3f7/water-quality-monitoring-data-gc-ms-and-lc-ms-semi-quantitative-screen>

5.5.3 The EA is deploying passive samplers to provide more accurate data on mixtures, including compounds of relatively high toxicity that are often below the limit of detection in spot samples. These will provide additional monitoring data beyond current capability.

## **5.6 UK Health Security Agency (UKHSA)**

5.6.1 UKHSA and EA joint published the “Evaluation of the potential approaches to risk assessment of unintentional chemical mixtures for future UK REACH”. This report seeks to address if Mixture Assessment Factor (MAF) should be applied to risk assessments.

5.6.2 The report supported the use of a MAF for environmental risk assessment but did not feel there was sufficient evidence to support the use of a MAF in human health risk assessments. UKHSA is reviewing the current evidence base to identify knowledge gaps to promote further research.

## **5.7 Natural England**

5.7.1 Natural England noted “*A proposal for terrestrial environmental monitoring of Plant Protection Products (PPP)*” will be published in by Autumn 2023 and available on the AER - Applied Ecology Resources ([britishecologicalsociety.org](https://britishecologicalsociety.org))

5.7.2 Natural England is inputting to the Environment Agency H4 indicator EIP Outcome Indicator report- The report will include an update on activities undertaken to improve understanding of exposure and the effects of rodenticides on predatory birds and mammals including data from foxes and red kite liver residues.

5.7.3 They have initiated a refresh of the Herbicide Handbook, a document intended for used to use of herbicides for managing vegetation for nature conservation in 2019, now renamed Weed Control Handbook for use of herbicides for managing vegetation for nature conservation. The next step is to undertake user testing of the [decision-making](#) framework.

5.7.4 Natural England continue to support the development of Bracken management, including providing information on the conservation perspective of Asulam use, alongside the other statutory nature conservation bodies. They are also working to promote the consideration and use of non-chemical approaches to Bracken management, including work with the Devolved Governments to update the UK best practice guidance for bracken management, and to develop a UK-wide strategic framework for bracken management.

5.7.5 Natural England have successfully recruited experts in ecotoxicology and agrochemicals risk assessment. They are expected to start in November 2023.

## **Agenda Item 6: Date of next meeting**

6.1 21 November 2023 – To be held as a hybrid meeting.

## **Agenda Item 7: Any other business**

### **7.1 Drone Conferences Overview**

7.1.1 The Committee noted a ECP representative had attended the HSE conference on ‘Applying pesticides using drones’ which had been sponsored by the OECD.

7.1.2 The Committee received a summary of the events and discussions from the event. HSE noted that they view the use of drones as an interesting area of regulatory focus and intend to seek the advice of the ECP on specific issues at a later point.

## **7.2 Chair's Report**

7.2.1 The Chair noted that Mr J Clarke had been appointed as his successor, taking up the post from 01 January 2024. The Chair, Members and Representatives congratulated Mr Clarke on his appointment. Mr J Clarke will accompany the Chair to the annual Defra Chief Scientific Advisor's Chair meeting in October.

7.2.2 Mr J Clarke noted that one of his priorities will be to raise the profile of the Committee, particularly to enhance future member recruitment, including through having ECP representatives highlight the work at relevant conferences and events. He further noted that in response to his appointment he had agreed to update his published biography to better reflect his role and clarify any perceived or actual conflicts of interest.

7.2.3 The Committee noted the need to appoint a new deputy Chair. Members were invited to express any interest in the role to the Chair and Secretariat.

**Action: Committee Members**

**Ethan Clabby  
ECP Secretariat  
November 2023**

## **Annex 1**

### **ECP ADVICE TO GOVERNMENT: USE OF 'CRUISER SB' ON SUGAR BEET**

#### **Issue**

1. The Government has received an application for an emergency authorisation for the use of 'Cruiser SB' (containing thiamethoxam) for use as a seed treatment on sugar beet.

#### **Action required**

2. The Committee is requested to advise on:
  - Whether, in order to minimise the use of 'Cruiser SB' under any emergency authorisation, there are any further practical measures which could be linked to an

authorisation that would better support those growers who choose not to use 'Cruiser SB' to reduce risks from aphids and virus infection?

- Are there any additional practical measures, or further research, that could be undertaken to identify areas and agronomic conditions which present the highest risk of Beet yellows virus to further target use of 'Cruiser SB' treated seed (where the trigger has been met)?
- Whether it has any advice for revising or refining the HSE proposed data requirements should 'Cruiser SB' be authorised and used in 2024?

## Discussion

3. The Committee *noted* that:

- This is the fourth consecutive application for this proposed use.
- The environmental risk assessment indicated an acceptable risk to birds, mammals, aquatic life, non-target arthropods, soil macro-invertebrates, soil processes and non-target terrestrial plants.
- The risks to birds from consuming treated seeds had not been demonstrated to be acceptable. However, consumption of pelleted seeds is considered an unlikely route of exposure.
- In light of the risk assessment conducted, HSE's view is that it has not been clearly established that there will be no unacceptable effects on adult or larval honeybee survival and behaviour following the use of 'Cruiser SB', and that the impact on the survival, development or productivity of the colony is unknown.
- Continued surface water monitoring from catchment sensitive farming sites shows higher concentrations of clothianidin than thiamethoxam when 'Cruiser SB' has been used. However, as expected, overall, the concentration levels are much lower than was the case when thiamethoxam and clothianidin were authorised for use on a range of higher acreage crops because the fraction of the monitored catchments receiving these products is likely to be lower now than in the past.

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

- Based on the information currently available, it is considered that the potential adverse effects to honeybees and other pollinators cannot be excluded to a satisfactory level if an authorisation were to be granted and this outweighs any likely benefits.
- The requirements for emergency authorisation have not been met.

5. The Committee *advised* that:

- There is a need to understand why some growers are not using 'Cruiser SB'. Gathering information from growers on why they do not use Cruiser SB and details and outcomes of any alternative approaches they deploy would be fundamental before any practical measures to support these growers could be put in place.

- More research into localised incidence of the virus, rather than regional, within the Rothamsted model is critical.
- Government could consider holding a stakeholder meeting with some sugar beet grower experts to provide a greater understanding of how sugar beet is grown and the challenges faced.
- The programme for developing longer-term and integrated solutions is good. Members felt there would be an alternative solution to the use of 'Cruiser SB', but that this could be years away.
- The data requirements put in place in 2022 are sufficient. Members noted the submission date of November is too late if a further application is to be made as the data will not be available in time to inform the following year's advice to Government.

## **Conclusion**

6. Based on the evidence presented to ECP, the Committee agreed it supports the HSE assessment and that it is unable to support an emergency authorisation under Article 53 of Regulation 1107/2009, as potential adverse effects to honeybees and other pollinators outweigh the likely benefits.