

# The UK Expert Committee on Pesticides (ECP)

## Full Minutes of the meeting of the UK Expert Committee on Pesticides (ECP) held 23 January 2024

*The meeting was held as a virtual meeting.*

### **Those present:**

#### **Chair:**

Mr J Clarke

#### **Members:**

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:**

Ms L Fielding (Welsh Government); Ms B Mallon (DAERA); Ms G Reay (Scottish Government); Dr C Snaith (HSE) and Mr D Williams (Defra)

#### **Advisors:**

Mr A Dixon (HSE); Mr D Flynn (HSE); Mr N Graham (HSE); Mr J Hingston (HSE); Mr T Horgan (FSA); Ms R Leete (Defra); Dr J Newman (Environment Agency); Ms A Porter (Defra); Dr S Qassim (Natural England); Ms G Shawe (Natural England) and Ms M Wade (HSE)

#### **Others:**

Ms L Cross (HSE); Ms B Earnshaw (HSE); Mr S Felton (HSE); Ms K Jeanes (HSE); Ms S Mason (HSE); Mr A Massey (HSE); Mr D O'Neil (Defra); Mr A Wilder (HSE); Mr D Williams (Defra) and Mr A Wilson (HSE)

## **Apologies:**

Prof J Coulson; Dr S Jess (DAERA); Mr B Macdonald (Welsh Government); Mr B Maycock (FSA); Ms H Nakeeb (UKHSA) and Mr G Stark (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 Two Members identified potential conflicts of interests. One member identified a specific personal interest and chose to withdraw from discussion of that item. The other Member declared a non-personal, non-specific conflict and it was agreed they could remain and participate in discussion on the relevant agenda item.

## **Agenda Item 2: Full Minutes of the previous meeting [ECP 1 (63/2024)]**

2.1 Members agreed the Full Minutes of the November 2023 meeting.

## **Agenda Item 3: Matters Arising and Forward Business Plan [ECP 2 (63/2024)]**

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 there were no substantial agenda items on the forward business plan for the March and May meeting. The Committee agreed to cancel the March meeting and to hold a familiarisation session on the Active Substance process in May.

**Action: Secretariat**

3.3 Defra noted that the Minister for Food, Farming and Fisheries had granted an emergency authorisation for the use of 'Cruiser SB' (containing thiamethoxam) for the treatment of sugar beet seeds in 2024. They highlighted that a statement of reasons, alongside supporting documentation had been published alongside the decision.

3.4 The Chair noted that the annual ECP audit of the regulatory work undertaken by HSE's Chemical Regulatory Division had been completed up to the 2022/2023 financial year. The results have been formally submitted and acknowledged by HSE.

## **Agenda Item 4: Active Substance Pydiflumetofen [ECP 3 – 3-1 (63/2024)]**

4.1 Pydiflumetofen was first considered by the Committee in October 2022 and again in April 2023. Following the submission of further data by the applicant, HSE have invited the Committee to consider the potential long-term risk of groundwater contamination, alongside HSE's assessment of the applicant's monitoring proposals.

4.2 Members noted they had concerns over the persistence of the substance and felt that effective post-use monitoring would be key in strengthening the evidence base. The Committee held preliminary discussions on the issues identified by HSE and began to formulate their advice.

## **Agenda Item 5: Defra update [ECP 4 (63/2024)]**

5.1 Defra presented to the committee on their ongoing work concerning regulatory reform. They noted this was being carried out jointly with the Devolved Governments, HSE and other relevant government bodies. The ECP was invited to provide advice on the current draft proposals, noting that any future policy developments were subject to consultation and change.

5.2 The committee discussed the developments, noting their support for effective reforms to the regulatory system. Members emphasised the importance of ensuring decision makers had access to the widest evidence base possible to create a full and coherent image of human health and the environment. They noted the importance of ensuring a wide range of monitoring data, scientific literature and expertise is made available to the regulatory system. Members agreed to liaise with the Secretariat and provide any further specific comments to Defra by 2<sup>nd</sup> February.

### **Actions: Members and Secretariat**

5.2 Defra thanked the committee for their advice. Defra noted this was an ongoing process and that they would like to carry forward the discussion as they continue to develop their thinking and specific policy measures.

## **Agenda Item 6: HSE Updates**

### **6.1 Official Controls Review**

6.1.1 HSE noted that the implementation of the Official Controls (Plant Protection Products) Regulation 2020 is now complete. HSE have access to data from the register of users for enforcement purposes and have recruited a significant number of pesticide enforcement officers to carry out this work going forward.

6.1.2 The Committee agreed to remove consideration of the Official Controls as a standing agenda item. It was noted that any future updates on the regulations would be an operational issue and be provided in the context of updates from HSE's enforcement teams.

**Action: Secretariat**

## **6.2 Outcome of habitat protection/buffer zone and UK-specific restrictions.**

6.2.1 HSE updated the Committee on the ongoing work to create a 'tool-box' approach to risk mitigation. They are currently in discussion with stakeholders and are considering implementation of the work alongside that of the National Action Plan on Suitable Use of Pesticides.

## **Agenda Item 7: Draft ECP 2023 Annual Report [ECP 5 (63/2024)]**

7.1 The Secretariat introduced the first draft of the 2023 ECP Annual Report. The report details the work undertaken by the committee, alongside reporting on the fees and expenditures of the committee and the declaration of interest provided by Members. The Secretariat noted the report is intended to provide a summary level overview of the Committee, aimed at a general audience with little to no prior knowledge.

7.2 Members were invited to provide any comments alongside updates to their declaration of interests and biographies to the Secretariat by the 6<sup>th</sup> February, if they have not already done so.

**Action: Members**

## **Agenda Item 8: Update from Other Government Departments**

### **8.1 Scottish Government**

8.1.1 The Scottish Government's Pesticide Survey Unit published the [Arable crops and Potato stores](#) and [Soft Fruit crops](#) reports on pesticide usage in Scotland in 2022. Both reports are available to download from the Scottish Government website. The Rodenticide use on Arable farms 2022 report will be published on the 6<sup>th</sup> March 2024.

8.1.2 Scottish Government Officials continue to liaise with the other administrations on final clearances and publication of the National Action Plan document.

8.1.3 The Scottish Government's Minister for Green Skills, Circular Economy and Biodiversity, Lorna Slater, will chair the next quarterly Pesticide Stakeholder Group Meeting on the 7<sup>th</sup> February. These meetings allow the Scottish Government to highlight changes to pesticide authorisations to stakeholders with an interest in pesticide use and to provide a forum to allow government to gain a better understanding of the impact of those changes for industry. Ms Slater will also be speaking at the Crop Protection in Northern Britain Conference on the 27<sup>th</sup> February in Dundee.

## **8.2 Northern Irish Government**

8.2.1 The Northern Irish Government continue to monitor divergence in active substances, products and MRLs between GB and NI, and communicate information regarding PPP withdrawals to NI growers. HSE continues to provide timely notification of product authorisation changes and provides DAERA with significant support in this regard which is very much appreciated.

8.2.2 There is concern over the loss of Minor Use Authorisations (EAMUs) and new EAMUs being granted in GB, but not NI; both issues have been raised by grower groups. Due to differences in active substance approval dates between the EU and GB, divergence in existing EAMU expiry dates, divergence in MRLs and other divergences there is a misalignment in the timing of renewal or new EAMU applications. There is an indication that the market for some of the minor crops in NI might be so small that agri-chemical companies may not choose to renew all the product uses at an earlier date compared with GB, leaving a gap over the intervening seasons; or may decide not to renew at all. Further NI growers have little engagement with the crop associations that fund the Horticulture Crop Protection Ltd (HCP) and understandably GB growers are less inclined to financially support NI only applications. DAERA have been engaging with HCP and Defra on the issue and hope to hold a meeting with HCP and NI grower groups in the next few months to develop a way forward.

8.2.3 The Northern Irish Government have been informed that their Official Laboratory for pesticide residue testing, SCL Paris, is not taking up the option to continue with the contract into 2024. This information was provided at a late stage in the year. SCL had been contracted for the delivery of testing of the majority of the pesticide residue tests with exception of the testing for residues of pesticides in food of animal origin and commodities with high fat content carried out by AFBI. Work is ongoing with Defra and HSE to put in place the necessary arrangements for procuring a new EU accredited lab to undertake the testing regime and to secure the delivery of the priority from SCL.

8.2.5 Growers have welcomed the renewal of glyphosate. Whilst the prohibition of use as a desiccant (with the intention to control the time point of harvest or to optimise the threshing) is disappointing, there is no feedback from growers that the restriction will make the cereal sector in NI unviable.

8.2.6 The Northern Irish Government are monitoring the discussions on the Commission's proposal to remove Footnote 1 in Annex 1 of Regulation (EC) No 396/2005 with no replacement mechanism to define MRLs in animal feed. They are aware that a number of member states have supported retaining the footnote and the establishment of a harmonised guidance document.

## **8.3 Welsh Government**

8.3.1 The Welsh Government noted they are working closely with Defra and the other administration to agree on a final text of the National Action Plan for the Sustainable use of

Pesticides and remain heavily involved in the development of the Active Substance Renewal Programme.

#### **8.4 Environment Agency**

8.4.1 The Environment agency noted they have fielded a number of enquiries related to emergency authorisation for the use of 'Cruiser SB'. They have provided information where possible to the interested parties.

### **Agenda Item 9: Date of next meeting**

9.1 23 July 2024

### **Agenda Item 10: Any other business**

#### **10.1 Pesticide Forum Annual Report**

10.1.1 HSE updated the Committee on the work of the Pesticide Forum. They noted that future stakeholder engagement was being considered in the context of the National Action Plan for the Sustainable use of Pesticides.

#### **10.2 Pesticide Usage Survey Reports 2022**

10.2.1 The Committee noted the publication of the 2022 Pesticide Usage Survey reports on 'Arable Crops in the UK' and 'Soft Fruits in the UK'.

#### **10.3 ECP Ways of Working Document**

10.3.1 Members noted that following the November meeting an updated version of the document had been reviewed by the Business Management Group and had been formally adopted.

10.3.2 The Chair noted that the document should be considered 'open' and that ad-hoc changes could be made alongside the standing review of the document in the November meeting.

#### **10.4 Recruitment Update**

10.4.1 Members noted that the committee would shortly begin recruitment for a further toxicology and eco-toxicology member, with the intention to have them in-post by the July meeting.

10.4.2 The Chair reminded those present that an informal working group on recruitment was being held after the meeting and invited any interested Members to attend.

## **10.5 Chair's Report**

10.5.1 The Chair noted that Prof William Cushley had been awarded an OBE in the New Year Honours list for his work on the ECP and services to the regulation of plant protection products.

10.5.2 The Chair invited Members to take part in the 2023/2024 ECP audit of HSE's chemical regulation work. He noted that the Secretariat were happy to arrange for this to occur in-person or virtually, as members preferred.

10.5.3 Members were invited to provide their thoughts on how best to provide effective feedback on the performance of Members and acknowledge their work.

10.5.4 The committee noted that Mr Darren Flynn would be retiring prior to their next meeting. Mr Flynn does so after a long career in HSE working to ensure the effective and safe regulation of pesticides. The committee thanked him for his collaboration with the Committee, and its predecessor bodies, over the years and most recently his effort in establishing effective working practices post EU-exit.

**Ethan Clabby**  
**ECP Secretariat**  
**February 2024**