



# IMPORTANT CHANGES TO PESTICIDES LEGISLATION – AN UPDATE

*Jon Albutt takes some time to explain the ramifications behind the recent EU decision not to endorse an amendment which would have seen chemicals banned on all amenity areas*

**The EU Parliament, at its full plenary session on October 22, 2007, voted against an amendment to prohibit the use of pesticides in all public amenity areas; it also voted to adopt the, “Thematic Strategy for the Sustainable Use of Pesticide” with some minor amendments to Article 11.**

Over the next months there will be a lot of work in the EU Council Committees to clarify the detail of exactly what this means to all users of pesticides for the future. Under the current timescale these changes must be in place within member states own legislative structures by the end of 2010. The UK already has in place arrangements that meet many of the proposed changes via our statutory and voluntary schemes. The most significant aspects of the new Directive are:

## **ARTICLE 5 -TRAINING AND EDUCATION**

Define a minimum standard of training and certification for users and advisors. Restrict pesticides to professional users, who should be aware of the risks and hazards of the use of pesticides.

Since the introduction of FEPA and COPR in 1986, we have had statutory controls in place with clear guidance on the need for Certificates of Competence. Under the Voluntary Initiative we also have the National Register of Spray Operators (NRoSO) Scheme whereby certificated spray operators, and their supervisors and managers, can maintain their qualification up to date by the process of continuous professional development (CPD) – This scheme is unique to the UK. So far the uptake of the NRoSO Scheme in amenity horticulture has been very poor and although by no means certain it is likely that this type of scheme could well become a statutory requirement, we must wait to see the detail of the Directive.

## **SPRAYING EQUIPMENT**

All new equipment will conform to environmental safety standards. All equipment in use to be inspected annually. Records to be kept for the life of the equipment.

Under the unique UK voluntary scheme the National Sprayer Testing

Scheme (NSTS) we already have a means for having our sprayers tested and certificated. However, the uptake of this scheme in amenity horticulture has also been very poor. The Amenity Forum is in discussions with NSTS to improve the scheme to take account of many amenity users who use sprayers with tank capacities under 100 litres.

**PROTECTION OF THE AQUATIC ENVIRONMENT**

**ESTABLISHMENT OF BUFFER ZONES FOR SPRAYING**

We have the Local Environmental Risk Assessment for Pesticides (LERAP) scheme for all users, that establishes buffer zones for certain types of pesticides. Information of where this scheme applies is always on the product label and all certificate holders will have learnt about this scheme as part of their training and assessments under the NPTC scheme. Those with old certificates (more than five years old) who have joined the NRoSO Scheme will also be updated on this scheme. That is why BIGGA supports the Amenity Forum initiatives and the NRoSO Scheme to ensure greenkeepers keep themselves up to date.

**THE PROTECTION OF SENSITIVE AREAS**

11(a) the use of pesticides shall be prohibited or restricted to the minimum necessary in all areas used by the general public or by sensitive population groups, at least in residential areas, parks, public gardens, sports and recreation grounds, school grounds and playgrounds, and in the vicinity of public healthcare facilities (clinics, hospitals, rehabilitation centres, health resorts, hospices) as well as in substantial no-spray zones including in fields around these areas, particularly, although not exclusively, to protect sensitive groups such as babies, children, pregnant women, the elderly and those with pre-existing medical conditions and who may be taking medication.

10.4. "Member States shall ensure that application of pesticides is

reduced as far as possible or eliminated on or along roads, railway lines, surfaces made up of permeable rock, in sloping areas or other infrastructure close to surface water or groundwater, or on sealed surfaces with high risk of run-off into surface water or sewage systems. In all these areas use of non-chemical alternatives should be promoted."

It is this proposal that is likely to impact on current UK practices, although we already have in place many arrangements whereby we are observing best practice to protect sensitive areas. We will be careful to make sure that the final details do not contain excessive and impracticable buffer, and no spray zones that would make it impossible to use pesticides in public amenity areas.

In the meantime it is essential we maintain the highest standards that we can, especially with the maintenance and use of spraying equipment and making sure that all those with a spraying certificate keep it up to date. So why not join the NRoSO [www.nroso.org.uk](http://www.nroso.org.uk) and NSTS [www.nsts.org.uk](http://www.nsts.org.uk) Schemes?



Use this checklist to see just how up to date you are:

- WHEN WAS THE SPRAYER LAST SERVICED AND TESTED?**
- WHEN WERE THE NOZZLES LAST 'JUGGED' AND THE PRESSURE GAUGED TESTED?**
- WHEN WERE THE CALIBRATION SHEETS LAST CHECKED FOR ACCURACY – HAVE YOU GOT ANY CALIBRATION SHEETS JON@JONALLBUTT.CO.UK FOR A FREE COPY**
- HAVE YOU GOT A COPY OF THE NEW PESTICIDES CODE OF PRACTICE – FREE ON THE WEB WWW.PESTICIDES.GOV.UK**
- WHEN DID YOU LAST UPDATE YOUR CERTIFICATE OF COMPETENCE – PA1/6A/2A?**
- HAVE YOU CHECKED THAT ALL YOUR SPRAY OPERATIONS COMPLY WITH THE LERAPS SCHEME?**
- IF YOU USE A CONTRACTOR IS HE A MEMBER OF NAAS AND/OR THE AMENITY ASSURED SCHEMES?**

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