Europeans consider pesticide regulations

G olf course superintendents in the U.S. soon might find their European counterparts have fewer maintenance tools in their arsenal for tending turf. This leaves some wondering if the proposed regulations could be headed across the ocean.

The European Union is considering legislation (Proposals for a Directive on the Sustainable Use of Pesticides) that would ban the use of plant protection products, or pesticides, in urban areas. The products could be considered a health risk.

"Parliament and the commission decided that placing pesticides on the market and



ne market and disposing of unused pesticides is well regulated, but they don't feel the actual use of registered

products is adequately regulated," says Pat Kwiatkowski, Ph.D., head of global regulatory affairs for Bayer Environmental Science in Lyon, France. "This is the main purpose of the Framework Directive on the Sustainable Use of Pesticides."

The framework directive being considered proposes to halt pesticide use in areas including public parks, sports grounds and playgrounds, but it doesn't specifically mention golf courses, which probably are a gray area.

Pitchcare, a British magazine for greenkeepers, has been reporting the issue and expressed concern about the effect it could have on the care of public areas including golf courses.

"The issue goes way beyond the availability of tools to effectively

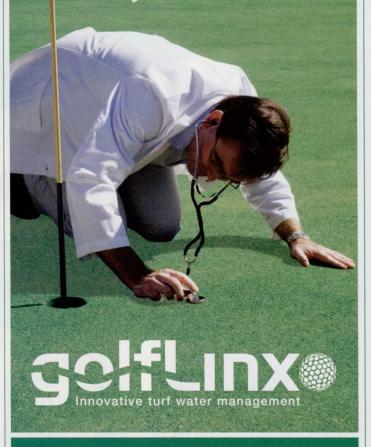
manage the superb golf courses and sports pitches the U.K. is famous for the world over," writes Paul Cawood in a recent commentary. "It affects how weeds will be controlled in the streets. It affects how vegetation will be controlled in areas where safety is a critical issue, such as the highways and railways and other industrial areas depending on how 'public and amenity area' is defined."

If the directive becomes law, the only legal alternative left for greenkeepers will be hand weeding, which is too costly and labor-intensive, Cawood says.

Austen Sutton, global business support manager, turf and ornamentals for Syngenta, recently spoke at a Responsible Industry for a Sound Environment meeting in New Orleans and highlighted the implications of the proposed pesticide restrictions within the directive. He detailed the potential consequences the ban-might have on the turf and amenity industry and its customers, who could lose the option to apply pesticides as part of their management programs. Pesticide companies that have a presence in Europe are closely watching the proposed European Union directive, which might be approved during the next two years, and are working with advocacy groups in EU member states to remain informed about any introduction of new legislation, Sutton says.

"Syngenta is fully behind the industry activity and following the formal lobbying process," he says. The industry lobbying is

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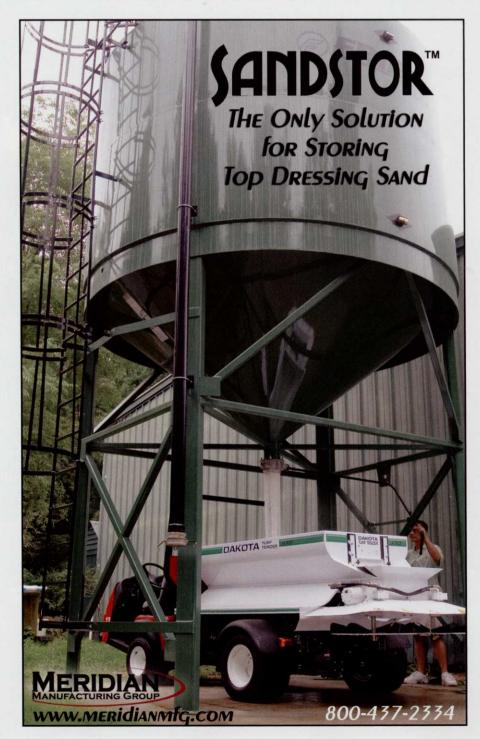
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focused on avoiding a complete restriction of pesticides use in public places and amending a number of other components of the proposed directive, Sutton says.

The ECPA, the European pesticide industry

association based in Brussels, has been lobbying with members of the European parliament about the legislation during the past months.

Yet the European and U.S. regulatory



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processes are different.

"In the U.S., decisions are based on risk assessment, which means comparing exposure to the toxicity of the product; it's a decision of safety based on a quantified method," Kwiatkowski says. "There's also a recognition and assessment of risk vs. benefit for a product. This aspect has gone away to a great extent in Europe in the past few years."

While the U.S. Environmental Protection Agency communicates regularly with its EU counterparts, the two bodies understand the differences between the regulation processes, Kwiatkowski says. She doesn't foresee the EPA looking at the EU's pesticide directive and following suit in the U.S. She bases this opinion on an EU water directive with respect to the risk of pesticides seeping into drinking water. That directive hasn't been considered in the U.S., and the EPA has no inclination to do so, she says.

Still, some fear antipesticide advocates in the U.S. will see the European directive as a viable option for the U.S.

"We have preemption at the state level here that would protect us to some degree, but the activist community has an agenda to overturn state and federal preemption," says Allen James, executive director of RISE.

Even if European restrictions aren't the impetus for U.S. regulations, bans and other rules have been put into place, and advocates will continue to push for further restrictions. U.S. pesticide users can help the cause by becoming more active in trade organizations and at the grassroots level, James says.

"Each company or golf course superintendent needs to take it upon himself to get involved," James says. "He shouldn't limit the focus just to his own segment. Harm to the lawn care industry, restrictions on road-care protection or failure to use pesticides properly on utility rights of way ultimately have adverse effects on golf courses because one area leads to another area being restricted."

An EU vote on the directive was expected Oct. 22. Kwiatkowski expects that sometime in the next three to six months there will be a finalized version, which will be publicized with a timeline for member states to follow.

"Now is the time for concerned industry advocates to express their concerns," she says. – *HW*