

## The Sustainable Use Directive ( from Safe Use of Pesticides Workbook V1 Lantra 2015)

The European Regulation 1107 of 2009 emphasises the need to substitute the most dangerous pesticides with safer alternatives.

The Plant Protection Products (Sustainable Use) Regulations 2012 came into force on 18 July 2012 and transpose the Sustainable Use Directive in relation to the use of pesticides that are plant protection products (referred to in guidance, as pesticides).

The main points of the Sustainable Use Directive are to:

- **minimise risks to health and the environment from the use of pesticides**
- **improve controls on the use and distribution of pesticides**
- **promote the requirement for training.**
- **encourage low-input or pesticide free cultivation .**
- **establish systems for monitoring and reporting progress.**
- **ensure the regular testing of pesticide application equipment**

### Further information on The Plant Protection Products (Sustainable Use) Regulations 2012

1. **Users of professional products will be required to hold a certificate showing they have sufficient knowledge of the subjects** listed in Annex I of the Sustainable Use Directive (in the UK these certificates are referred to as a specified certificate). Existing specified certificates will remain valid under this legislation. Anyone who already has one of these will need to do nothing new.
2. **The legislation states that certificates can be withdrawn** if the holder is found guilty of an offence under the Regulations. An operator whose certificate is withdrawn will need to undergo further training and assessment before obtaining a new certificate enabling them to use professional products.
3. **There is a requirement to give preference to particular types of products where: the use of a product represents a risk to the aquatic environment and/or drinking water supplies; and where there is more than one product authorised for a particular situation.** The legislation provides that, so far as is reasonably practicable, preference should be given to products not classified as dangerous for the aquatic environment and not containing priority hazardous substances.
4. **There is also a requirement to ensure that the amount of pesticide used and the frequency of use is as low as reasonably practicable** where products are used in a number of specific areas. These areas include:
  - roads
  - railways
  - very permeable surfaces or other infrastructure close to surface and groundwater
  - sealed surfaces with a high risk of run-off to surface water and sewage systems
  - areas used by the general public or vulnerable groups
  - in the close vicinity of healthcare facilities
  - in conservation areas
  - areas which will be used by, or are accessible to, agricultural workers.
5. **When deciding on a control strategy users need to take into account the appropriate level of pest, weed or disease control necessary in particular situations.** For example, the control strategy required for a football pitch in a public park may differ from that on the greens of a championship golf course. Given that needs will differ and that the level of pest, weed and disease control and local risks can vary it is not appropriate for official guidance to specify the level of control and consequently what constitutes an appropriate amount or frequency of use, for all circumstances which might arise

6. **There is a requirement to ensure that pesticides are stored in areas that are constructed in a way to prevent unwanted releases.** Anyone storing pesticide products should follow practices consistent with those detailed in the existing codes of Practice and in doing so they would have reasonable basis for demonstrating due diligence in complying with the requirements of this legislation.
7. **New pesticide application machinery must be constructed and maintained to reduce the impact of pesticides on health and the environment.**
8. **Machinery must be tested, by 26 November 2016 and then within five years of purchase up to 2020 and every three years thereafter'**
9. **All boom sprayers with booms larger than 3m must be tested by 26 Nov 2016 and then every 5 years but after 2020 every 3 years.** Applicators with a smaller scale of use i.e. foggers, misters, dippers, granular applicators and booms of less than 3m must be tested by 26 Nov 2016 and then every 6 years.
10. **Hand held applicators, for example knapsacks, which represent a very low scale of use, will need regular checks and risk assessment but not independent tests as they are exempt from testing.** However, operators must be aware of specific associated risks and be trained on necessary maintenance.
11. **After 26 November 2015, anyone who is purchasing a pesticide authorised for professional use must ensure the product will be used by someone who holds a Certificate of Competence or who will be working under the direct supervision of someone who holds one. A Certificate of competence is one which relates to the relevant use of the product being purchased.**
12. **The distributor or seller of the products is not required to check the purchaser or intended user holds the appropriate certificate** but they are recommended to remind customers of their obligation to have an approved certificate, by whatever means they feel appropriate (notices on websites, or at premises, and advice on company literature for example).
13. By 26 November 2015, distributors who sell to end users must ensure that they have sufficient numbers of staff with specified certificates available at the time of sale of pesticides to provide information to customers on: pesticide use; health and environmental risks; and safety instructions to manage those risks for the products in question.
14. **Pesticides will be authorised by hazard criteria rather than risk,** which will result in the loss of some products.
15. **Aerial spraying will be prohibited unless there is no alternative** in which case the pesticide will need aerial authorisation and specific permission
16. **Operate storage, handling, mixing, cleaning and disposal measures so as not to endanger human or environmental health'**