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# Pesticides Newsletter

Issue Number 62

HSE  
Biocides & Pesticides Unit (BPU)

March 2004

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To HSE Approval Holders and Interested Parties.

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## ***Approvals***

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### **1. LABELLING OF PRODUCTS FOR USE AGAINST BEES**

BPU is currently re-examining all non-agricultural pesticide products approved for use against bees and their labelling, and would like to remind approval holders of the specific requirements for labelling such products. These requirements were brought in some years ago due an increase in the incidence of honeybee kills and hive contamination attributable to the use of non-agricultural pesticides on wild/feral bee nests.

The current labelling requirements are that all products that are approved for use against bees and that make such a claim on the label, must carry the precautionary phrase

## **'Dangerous to Bees'**

together with the following statement

**'Action should be taken to prevent foraging bees gaining access to treated nest, preferably by removing the combs or blocking the nest entrances'**

The statement should also be used on all promotional literature concerning the product.

Where there is a no label claim against bees, there is no requirement for either the phrase or the statement to appear on the label. However, the statement **'Action should be taken to prevent foraging bees gaining access to treated nest, preferably by removing the combs or blocking the nest entrances'** must still appear on any promotional literature.

BPU would like to stress the importance of appropriate action being taken by Pest Control Operators (PCOs) before and after treatment, to ensure that foraging honeybees and hives are not at risk. PCOs should also be advised to liaise with local beekeepers before undertaking the treatment of a feral bee nest.

Further guidance on feral bee treatments can also be obtained in a free HSE leaflet titled 'Feral honeybees: points to consider when asked to treat a honeybee nest' INDG276 available from HSE Books Tel: 01787 881165.

If you have any questions on this issue, please contact our Approvals Group at the address given at the end of this Newsletter.

## **2. REMINDER – LABELLING TO CHIP**

Approval Holders are reminded that it is the responsibility of suppliers to ensure that their pesticide products are classified and labelled according to CHIP 3 by July 2004. This includes all products in the supply chain at that time. Further guidance on how this affects pesticide products is available on our website at [www.hse.gov.uk/hthdir/noframes/pestindex.htm](http://www.hse.gov.uk/hthdir/noframes/pestindex.htm), further guidance on CHIP 3 is available at [www.hse.gov.uk/chip/index.htm](http://www.hse.gov.uk/chip/index.htm)

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## **General**

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## **3. INDUSTRY BIOCIDES/PESTICIDES SEMINAR 2004**

Enclosed with this issue of the Pesticides Newsletter you will find a flyer for this year's industry seminar, which will be held in May at the Maritime Museum in Liverpool. Due to the number of delegates who wished to attend the last event of

this kind, we have decided that this year it will still be a one day seminar, but that it will be run twice, once on the 18<sup>th</sup> May and then again on the 19<sup>th</sup>. This should allow everyone who wishes to attend the opportunity to do so, and allow for a more comfortable seating arrangement in the lecture theatre. The final details of the programme are still being decided, but it will focus mainly on the Biocidal Products Directive/Regulations scheme, including areas such as the review programme, UK implementation, data waiving and exposure assessments, with a short update on Control of Pesticides Regulations issues. The flyer includes a booking form which should be sent back to the address indicated on the form, and please remember to indicate which one of the two dates you wish to attend.

We also asked in the last Newsletter if there were any particular topics you wished us to cover in the seminar, and if you do have any topics which would be relevant to the industry as a whole, please send details in an email to [biocides@hse.gsi.gov.uk](mailto:biocides@hse.gsi.gov.uk)

#### 4. EXPORTATION OF PESTICIDES

As a result of the Rio Earth Summit the United Nations launched an international scheme to control and monitor trade in a number of dangerous substances. This is known as the Rotterdam Convention or the Prior Informed Consent scheme ("PIC"). The main purposes are to inform on the amounts of such substances that are being transported, information about those dangerous properties and how best to control them. Some countries may decide to accept such imports, others not or only under certain conditions - the notification process allows this to occur. The "PIC" scheme was first adopted in the EU using Regulation 2455/92 but has recently been updated. In March 2003 a new EU regulation (304/2003) was implemented relating to the export of substances that are banned or severely restricted within the European Community. The list is more extensive than the "PIC" list and many but not all of these are pesticides. The regulation lists, in Annex 1, those substances that are included. The demands on exporters are not onerous and are indicated on HSE's Website (<http://www.hse.gov.uk/consult/condocs/cd197.pdf>). The pesticides listed in Part 1 of Annex 1 are:

Arsenic compounds	Monolinuron
Azinphos ethyl	Permethrin
Cyhalothrine	Propham
Fenvalerate	Triorganostannic compounds
Ferbam	Zineb
Maleic hydrazide and its salts	

Exports of these substances need to be notified - see HSE's Website or contact UK Designated National Authority (DNA) for details (see address below).

Pesticides listed in Part 2 of Annex 1 are:

Chlorfenapyr	Fentin acetate
Chlozolinate	Fentin hydroxide
Dicofol	Nitrofen
Dinoterb	Pyrazophos
DNOC	Quintozene
Endrin	Tecnazene

These are substances banned or severely restricted within the EU. They can still be shipped from EU Member States but consent from the importing country is required before export can occur. Again, exporters should contact the UK DNA.

Pesticides listed in Part 3 of Annex 1:

2,4,5-T	HCH (mixed isomers)
Binapicryl	Lindane
Captafol	Mercury compounds
Chlordimeform	Pentachlorophenol
Chlorbenzilate	Methamidophos
Dinoseb and its salts	Methyl parathion
1,2-Dibromoethane	Monocrotophos
Ethylene dichloride	Parathion
Ethylene oxide	Phosphamidon
Fluoroacetamide	

These are substances that are part of the international 'PIC' procedure. Again, as with substances in Part 2 of Annex 1, consent is required before shipment can occur.

The following substances are banned from being exported:

Aldrin	Heptachlor
Chlordane	Hexachlorobenzene
Dieldrin	Mirex
DDT	Toxaphene
Endrin	

If you export any of these substances to countries outside of the EU, please contact us to make sure you are complying with the regulations

Richard Cary  
(UK DNA)  
HSE Central Specialist Division  
Magdalen House  
Trinity Road  
Bootle  
L20 3QZ  
Email [richard.cary@hse.gsi.gov.uk](mailto:richard.cary@hse.gsi.gov.uk)

## **5. CONSULTATION ON PROPOSED REVISIONS TO THE 'GREEN CODE'**

HSE and DEFRA are shortly to undergo public consultation on proposed changes to the Code of Practice for the Safe Use of Pesticides on Farms and Holdings (known as The Green Code). It is proposed to extend the scope of the revised Code to encompass all professional users of plant protection products – those involved in agriculture, horticulture, forestry and amenity situations) rather than just users on farms and holdings as for the current Green Code. As much of the current guidance for amenity users (contained in the current non-statutory 'Orange Code') is based

very closely on the current version of the Green Code, no major changes have been required when incorporating this information. The Orange Code will be withdrawn once the revised Green Code is published. This is expected to be in the late summer.

Some of the proposed changes include:

- A new emergency procedures section which has been added to the start of the Code, to bring together safety information which was previously buried in the text of the Green Code;
- Making the text more readable by placing detailed information on legislation in an annex so that the text can focus on the practicalities of applying pesticides safely;
- Editing sections dealing with matters of little practical use to users and expanding the advice in some sections to provide relevant practical examples of common situations, for example 'filling equipment';
- Reference to schemes brought in under the Voluntary Initiative;
- Major changes to the section on disposal reflecting new restrictions applying to agricultural waste from Summer 2004 and
- References to uniquely Scottish legislation and enforcement agencies and other bodies removed as a Scottish version of this Code is to be produced.

Consultation is expected to run for three months between March and May 2004. If you would like to see a copy of the proposed consultation document please contact Alan MacDonald at the Pesticides Safety Directorate, email [alan.macdonald@psd.defra.gsi.gov.uk](mailto:alan.macdonald@psd.defra.gsi.gov.uk)

## **6. CONDUCT OF APPLICANTS**

In keeping with the Standards of Service listed in article 7, staff in the Biocides and Pesticides Unit are always keen to provide a helpful and efficient service to our customers. However, our ability to do this has recently been affected by the actions of a small minority of stakeholders. The Unit has incurred unnecessary and disproportionate costs where applicants have attempted to harass junior members of staff, and where false statements have been made to staff.

One example of this is where an individual, having been given the answer to a question, will telephone several other members of staff in turn to ask the same question; presumably they were trying to get a different answer by doing this. In reality, this tactic is unlikely to result in a different answer, and simply serves to take up staff time unnecessarily.

A further example is where an applicant requires an approval in advance of the agreed 70 working days. Whilst we always try to work as quickly as possible, and to understand the needs of companies at specific times, frequent and persistent calls from applicants asking for their products to be given priority are counterproductive, prevent staff from carrying out the work, and will ultimately result in a delay.

We recognise that these actions only involve a small number of individuals but they are occurring regularly, are time consuming, and have the result of pushing up the levy cost for the industry as a whole.

We therefore ask that applicants consider their actions, particularly in circumstances where junior staff are involved. We understand that there are occasions where applicants believe that they have a genuine complaint to make about the service they have received, and there are procedures in place to investigate such occurrences – these are outlined in our standards of service in the next article.

## **7. STANDARDS OF SERVICE**

This statement outlines the level and type of service we believe our clients deserve and that we will endeavour to provide. The level of service is complemented by clearly defined standards. It will also give details of the action you can take if you are unhappy with any aspect of the service you have received.

BPU serves a very wide client base, including the pesticides industry, consumers, the general public, local authorities, enforcement bodies, other government departments, policy sections, official committees and pressure groups. Since a large part of the work of BPU involves dealing directly with the pesticide industry, this statement is mainly aimed at this client base, however, we aim to ensure that all our clients receive the same high level of service.

### ***OUR STANDARDS OF SERVICE***

#### ***COURTESY AND HELPFULNESS***

When dealing with our clients we will always consider addressing their needs to be a priority. We aim always to be courteous, helpful and accurate in all our contact with you. We will use plain language and avoid the use of technical jargon wherever possible. The confidentiality to which our approval holders have become accustomed will be maintained.

Members of BPU staff will give you their names during all telephone conversations, in all correspondence and at meetings. Where appropriate, we will also wear name badges or provide nameplates at meetings or at public events.

#### ***PROMPT RESPONSE***

We will always try to answer telephone queries promptly. If the answer to your enquiry cannot be given straight away, we will try to respond with further information the same day, and a full answer within ten working days. If your enquiry is not appropriate to the initial contact, you will be forwarded to a more appropriate member of staff.

We aim to answer all correspondence within a deadline of ten working days. If we are unable to respond fully within this time period for any reason, we will contact you to let you know why and when you may expect a full response. We will monitor all enquiries for performance.

## ***APPOINTMENTS***

We are always happy to meet with our clients, but if for any reason a meeting has to be cancelled we will arrange a new appointment at a mutually convenient time.

## ***APPROVALS PROCEDURES***

We will aim to carry out the evaluation of your applications as quickly and efficiently as possible, without compromising scientific quality and safety considerations. To aid this process, we will provide you with clear and helpful information about the approvals process and the legislation affecting approvals. Further information and details of the data which would be required to support an approval is given in the Registration Handbook. This handbook also identifies the data requirements required for approval, which are updated periodically. Copies of the handbook are available free of charge from the address given in "How to contact us".

We will keep our procedures under review to see if improvements can be made, and to ensure that we provide the most useful and economical service possible to our customers

## ***SEEKING YOUR VIEWS***

The Biocides and Pesticides Unit is always keen to hear the views of its customers on the service we provide. We therefore invite any clients to telephone, write or fax their comments to us. These will be used in conjunction with our ongoing assessment of ways in which we can improve our service. Where appropriate, we may also carry out surveys for your comments.

## ***ACCESS TO INFORMATION***

We will comply with our statutory responsibilities to provide access to information on non-agricultural pesticides.

Following a decision by the independent Advisory Committee on Pesticides, we will make sure that an evaluation document giving details of the committee's decision and a summary of the data they assessed to reach this decision, are made available. This will apply to all active ingredients approved or reviewed since 1986. The evaluations, which are priced documents, will be available from the ACP Secretariat, Pesticides Safety Directorate, Mallard House, Kings Pool, 3 Peasholme Green York YO1 2 PX, or on-line at [www.pesticides.gov.uk](http://www.pesticides.gov.uk)

If you wish to view the data underlying a published evaluation, a room will be available, by appointment, at our Bootle Headquarters for your use.

## ***KEEPING YOU INFORMED***

We will keep our clients up to date with developments in legislation or procedures which may affect their applications or approvals. This will be done via the quarterly Pesticides Newsletter (issued to all approval holders), the monthly 'Pesticides Monitor', and the Advisory Committee on Pesticides Annual Report (the latter two produced in conjunction with DEFRA). We will also write directly to those of our customers affected by a certain issue to arrange meetings with them to further discuss the matter if needed.

## **HOW YOU CAN HELP US TO HELP YOU**

When submitting an application for approval, please ensure that as much information as possible is included. If you are unsure about any aspect of an approval, please contact us and we will do our best to help.

All products are dealt with following receipt of the fee. Prompt payment and prompt return of signed NS1 forms and draft Schedules mean faster approvals.

## **COMPLAINTS PROCEDURE**

If you feel that the service you have received has fallen below expected standards, we will welcome your comments, and will ensure that action is taken to correct matters. You should initially contact the person who is dealing with your application or enquiry. If this member of staff cannot answer your complaint to your full satisfaction, they will put you in contact with a more senior member of staff.

If you are still not completely satisfied (or are unsure who to contact), you should write to Ms. Ann Brazier head of the Biocides and Pesticides Unit, at the address given in the section "How to contact us". Your complaint will be extensively investigated, and you will be sent a response within ten working days of your complaint being received.

If you remain dissatisfied, you can write to the Director General of the Health and Safety Executive, Timothy Walker or you can also write and ask your MP to take up your case with us or with Ministers. Your MP may also ask the independent Parliamentary Commissioner for Administration (the Ombudsman) to review your complaint.

## **HOW TO CONTACT US**

By letter to :	Telephone: 0151 951 3535
Biocides & Pesticides Unit	Fax: 0151 951 3317
Health and Safety Executive	Email: <a href="mailto:biocides@hse.gsi.gov.uk">biocides@hse.gsi.gov.uk</a>
Magdalen House	
Trinity Road	
Bootle	
Merseyside	
L20 3QZ	

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*If you require any further advice or information about any of the articles in this issue of the Pesticides Newsletter, please contact the Biocides and Pesticides Unit at the address given above.*

*Back issues of the Pesticides Newsletter and further information on pesticides and biocides can be found on the BPU webpages at :*

*<http://www.hse.gov.uk/pesticides/information.htm>*