Laws referred to in this code

1 This code reflects the following laws and sets out the best practice to make sure you meet your legal obligations. If the law listed applies only to certain parts of the United Kingdom, there is likely to be a similar law applying elsewhere in the United Kingdom. In general, laws relating to human health and safety are enforced by the Health and Safety Executive, and environmental law is enforced by the Environment Agency in England and Wales.

2 Food and Environment Protection Act 1985 (FEPA)

Part III of FEPA aims to:

- protect the health of people, creatures and plants;
- protect the environment; and
- establish safe, effective and humane methods of controlling pests.

This act also sets out arrangements for enforcing its requirements and aims to make information about pesticides available to the public.

Part III of FEPA applies to:

- any pesticide; or
- any substance, preparation or organism that is prepared or used for the purpose of:
  - protecting plants, wood or other plant products from harmful organisms;
  - regulating the growth of plants;
  - controlling against harmful creatures;
  - controlling organisms with harmful or unwanted effects on water systems (including sewage treatment works), buildings or other structures, or on manufactured products; and
  - protecting animals against parasites.

3 Control of Pesticides Regulations 1986 (as amended) (COPR)

These regulations, made under FEPA, specify that:

- all pesticide products must be approved by the Minister; and
- pesticides can only be sold, supplied, stored, advertised or used in line with the regulations.
Under COPR, anyone who uses pesticides in the course of their work must have received training in using them in a safe, efficient and humane way and have the knowledge, skills and experience needed for the duties they will perform. Also, any person who uses a pesticide must use it only on the land, crop, structure, material or other area being treated.

4 Plant Protection Products Regulations 2005 (PPPR) and Plant Protection Products (Basic Conditions) Regulations 1997

PPPR puts the European Council Directive of 1 July 1991 in force in the UK. It concerns placing plant protection products on the market (91/414/EEC). These regulations aim to make the ‘approval’ of plant protection products consistent throughout the European Union. The Basic Conditions Regulations define the conditions for selling, supplying, storing, advertising and using pesticides approved under PPPR (and are essentially the same as for pesticide products approved under COPR). These regulations, made under the European Council Directive, apply to new active substances and to older actives once they have been reviewed in the European Union.

5 Health and Safety At Work etc. Act 1974 (HSWA)

This act gives people the following obligations:

- Employers must protect (as far as is reasonably possible) the health, safety and welfare of their employees while at work. This includes providing the necessary information, training, supervision and protective equipment to carry out any job safely, and to protect employees and others;
- Employees and the self-employed must take reasonable care of their own health and the safety of others. This includes wearing suitable protective equipment;
- Suppliers must make sure that substances are safe and do not put health at risk when they are being used, handled, stored or transported. Suppliers must provide information about risks and how the substances can be safely used and disposed of.

6 Control of Substances Hazardous to Health Regulations 2002 (COSHH)

Under the COSHH regulations there is a legal duty to:

- assess the risks to health when working with substances which are dangerous to people’s health (which includes many pesticides); and
- eliminate or, if this is not reasonably possible, adequately control exposure to these substances.
7 Management of Health and Safety at Work Regulations 1999

These regulations, which bring the European Health & Safety Framework Directive into force in the UK:

- give employers general obligations to improve health and safety management; and
- explain what employers and employees must do under the Health and Safety at Work Act.

8 Personal Protective Equipment at Work Regulations 1992

These regulations:

- set out the principles for choosing, providing, maintaining and using personal protective equipment (PPE); and
- order that PPE is suitable for both the person using it and the risks it protects against.

These regulations do not replace specific laws dealing with providing appropriate PPE in certain situations.

9 Wildlife and Countryside Act 1981 (as amended)

This act, which brings into force the Convention on the Conservation of European Wildlife and Natural Habitats (the ‘Bern Convention’) and the European Union Directives on the Conservation of Wild Birds (79/409/EEC) and Natural Habitats and Wild Fauna and Flora (92/43/EEC) in Great Britain, is the main legal protection of wildlife in Great Britain.

10 Groundwater Regulations 1998

These regulations, which bring into force the EU Groundwater Directive Protection of Groundwater Against Pollution Caused by Certain Dangerous Substances (80/68/EEC), aim to prevent the pollution of groundwater by controlling disposal of certain substances, including all pesticides. Under these regulations, a groundwater authorisation is needed before pesticide waste can be applied to land in a way other than as approved for the product.


These regulations make sure that there is a high level of protection in food production from the farmer or grower to the consumer (‘from farm gate to plate’). The regulations say that risks from food should be identified and controlled and that food and food ingredients should be able to be traced along the food chain to make sure that food is safe.

The regulations came into force on 1 January 2006 and say that people who produce or harvest plant products must keep records of any plant protection products and biocides used.

These regulations make sure that in the production of animal feed, there is a high level of protection from the farmer or grower to the consumer (‘from farm gate to plate’). The regulations say that risks from food should be identified and controlled and that feed and feed ingredients should be able to be traced along the food chain to make sure that all feed and foodstuffs are safe.

The regulations came into force on 1 January 2006 and say that people who produce or harvest plant products for feed to livestock must keep records of any plant protection products and biocides used.

Other laws

Although not an obligation under FEPA, this code also provides advice on good practice for transporting and disposing of pesticides.

13 Carriage of Dangerous Goods and Use of Transportable Pressure Equipment Regulations 2004

These regulations place conditions on those who carry dangerous goods by road or rail (or who use transportable pressure containers). The conditions relate to vehicle design and construction, vehicle markings, transport documents, the type of goods transported, packaging, labelling, training and providing information.

14 Chemicals (Hazard Information and Packaging for Supply) Regulations 2002 (CHIP)

These regulations set out the conditions for classifying and labelling dangerous substances on the basis of their hazardous properties.

The labelling necessary to reflect the hazard classification includes:

- hazard symbols;
- standard risk phrases (R-phrases); and
- standard safety phrases (S-phrases).

Manufacturers, importers and other suppliers are responsible for classifying and labelling dangerous substances.

15 Clean Air Act 1993

This act applies to pollution by smoke, grit and dust from fires and commercial and industrial processes that are not covered by other laws.
16 Conservation of Natural Habitats and of Wild Fauna and Flora 92/43/EEC (‘Habitats Directive’)  
Under this directive, which is how the EC meets its obligations under the Bern Convention, member states must protect natural habitats and important wild species. Member states must:

- protect the habitats and species listed in the annexes to the directive;
- monitor and report on habitats and species;
- propose, prepare and maintain national sites to form a European network of protected sites (Natura 2000 sites); and
- control development and other projects which may affect these sites.

17 Conservation (Natural Habitats, &c.) Regulations 1994 (‘Habitats Regulations’)  
These regulations bring into force the obligations of the ‘Habitats Directive’ in Great Britain, setting out the procedure for:

- choosing conservation sites;
- assessing and reporting on habitats and species in conservation sites; and
- assessing and controlling projects affecting Natura 2000 sites.

18 Countryside and Rights of Way Act 2000 (CRoW)  
This act extends the public’s right to enjoy the countryside while protecting landowners and occupiers. The act:

- creates a new right of access to open countryside and registered common land;
- modernises the rights of way system;
- gives greater protection to sites of special scientific interest (SSSI);
- provides better management arrangements for areas of outstanding natural beauty (AONB); and
- strengthens wildlife protection laws.
19 Environment Act 1995

This act created Environment Agencies and introduced arrangements for:

- cleaning up contaminated land;
- protecting water;
- managing air quality; and
- reducing packaging waste.

Under this act, the Environment Agencies have powers to give polluters (or potential polluters) notice to carry out work to clean up or prevent pollution. To dispose of waste to controlled waters, people need permission from the Environment Agency. The Environment Agency may carry out anti-pollution work if they think that controlled waters have been (or are likely to be) polluted, and then recover costs from the polluters.

20 Environmental Protection Act 1990 (as amended)

Under this act, it is an offence to treat, keep or dispose of ‘controlled waste’ in a way likely to pollute the environment or harm people. It is also an offence to keep, treat or dispose of ‘controlled waste’ without a waste-management licence, unless the activity in question is ‘exempt’ under the Waste Management Licensing Regulations 1994. Under the act, people who produce waste must make sure that it is passed only to an authorised person who can transport, recycle or dispose of it safely.
21 **Environmental Protection (Duty of Care) Regulations 1991**

These regulations describe the actions which anyone who produces, imports, keeps, stores, transports, treats, recycles or disposes of ‘controlled waste’ must take. These people must:

- store the waste safely so that it does not cause pollution or harm anyone;
- transfer it only to someone who is authorised to take it (such as someone who holds a waste-management licence or is a registered waste carrier); and
- when passing it on to someone else, provide a written description of the waste and fill in a transfer note. These records must be kept for two years and a copy must be provided to the Environment Agency if they ask for one.


This directive aims to provide a precise definition of ‘hazardous waste’, and sets out a framework for correctly managing and regulating the waste. Hazardous waste is any waste on a list drawn up by the European Commission, or waste which has one or more of the hazardous properties set out in the HWD (for example, being explosive, toxic, oxidising, flammable or an irritant).

23 **Hazardous Waste Regulations 2005**

These regulations replace the current Special Waste Regulations, and bring into force the obligations of the EC Hazardous Waste Directive. The regulations:

- adopt the definition of hazardous waste set out in the Hazardous Waste Directive;
- make it necessary for those who produce hazardous waste to register their sites with the Environment Agency and send them records every three months; and
- set out the conditions for those handling or treating hazardous waste.

24 **Health and Safety (Consultation with Employees) Regulations 1996 (HSCER)**

Under these regulations, any employees not in groups covered by safety representatives from the trade union must be consulted by their employers, either directly or through elected representatives. Elected representatives can:

- talk to employers about concerns on possible risks and dangerous events in the workplace;
- talk to employers about general matters affecting the health and safety of the employees they represent; and
- represent the employees who elected them, in consultation with health and safety inspectors.
25 Landfill Directive (99/31/EC)
This directive aims to prevent or reduce (as far as possible) damage to the environment from disposing of waste to landfill by:

- setting targets for diverting waste away from landfill to other disposal methods (with targets for recovering and recycling waste and reducing the amount of bio-degradable household waste disposed of to landfill);
- pre-treating of waste before it is disposed of to landfill;
- classifying landfill sites as ‘hazardous’, ‘non-hazardous’ and ‘inert’ according to the type of waste they can handle (and banning the disposal of both hazardous and non-hazardous wastes to landfill); and
- banning (or phasing out) the disposal of certain wastes to landfill.

26 Landfill (England and Wales) Regulations 2002
These regulations bring into force the Landfill Directive (see above) in England and Wales and set out conditions to make sure that:

- landfill sites are appropriately located, designed, managed and maintained;
- the waste acceptance criteria specified in the Landfill Directive are met; and
- the site is monitored appropriately.

27 List of Wastes (England) Regulations 2005
These regulations adopt the European Waste Catalogue (EWC) into the various waste regulations in England. The EWC lists all types of waste and gives each type a six-figure code number. Hazardous waste entries in the EWC are either:

- ‘absolute entries’ for products classified as hazardous regardless of their concentration; or
- ‘mirror entries’ for products which are hazardous only if present above the certain concentrations specified.

These regulations make it necessary that, where reasonably possible, pesticides are not handled by people. When lifting, carrying and so on has to be done by hand, a risk assessment must be carried out if there is a risk of injury.

29 Provision and Use of Work Equipment Regulations 1998 (PUWER)
Under these regulations, using any mobile work equipment must not result in health and safety problems. Equipment must:
• meet and be maintained to the relevant CE standards;
• be used only for the intended purpose;
• be used only by a trained person; and
• have factory-installed safety features.

30 Safety Representatives and Safety Committees Regulations 1977 (SRSCR)
Under these regulations, if an employer recognises a trade union and that trade union has appointed (or is about to appoint) safety representatives, the employer must consult those safety representatives on matters affecting the group (or groups) of employees they represent. Members of these groups of employees may include people who are not members of that trade union. The trade union’s safety representatives can:

• investigate and talk to the employer about possible dangers at work, the causes of accidents, and general complaints employees make about health, safety and welfare issues;
• carry out inspections of the workplace;
• represent employees in discussions with health and safety inspectors, and receive information from inspectors; and
• go to meetings of safety committees.

31 Special Waste Regulations 1996
These regulations affect people who produce, carry, receive, keep, treat (including recovering) or dispose of waste that is classified as ‘special’. These regulations are replaced by the Hazardous Waste Regulations 2005. Under the new regulations, those who produce hazardous waste must register with the Environment Agency.

Under these directives, waste must be disposed of without causing danger to people or the environment, and waste management must include plans to reduce, reuse and recycle waste.

33 Waste Management (England and Wales) Regulations 2006
These regulations bring into force the controls specified under the Waste Framework Directive (75/442/EEC as amended) and the Landfill Directive (1999/31/EEC), and places the same controls on agricultural waste as those applying to other waste.
34 Waste Management Licensing Regulations 1994 (as amended)

Under these regulations, people who deposit, recover or dispose of ‘controlled waste’, or store more than 23,000 litres of ‘special waste’ must have a waste management licence. The regulations specify which activities qualify for a licensing exemption and cover the use of exempt incinerators. Unless ‘controlled waste’ is carried by the person who produced it, it must be transported by a waste carrier who is registered with the Environment Agency or is exempt. Licensing exemptions have to be registered with the Environment Agency.


Under this EC directive, all inland and coastal waters must achieve ‘good status’ by 2015 and certain standards must be met for groundwater, by creating river-basin management plans within which environmental targets are set.

36 Water Resources Act 1991

Under this Act (which replaced the corresponding law in the Water Act 1989), it is an offence for any person to cause or knowingly allow any poisonous or polluting matter to enter any controlled waters (these include all rivers, lakes, canals, estuaries, coastal waters and underground waters) without the proper authority. This act categorises certain substances as ‘special category effluent’ (the ‘red list’) and approval from the Environment Agency (as well as a trade-effluent consent from the local water company) is needed before disposing of these substances into a sewer.
Bibliography

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Safety Representatives and Safety Committees Regulations 1977 (SRSCR), SI 500, ISBN 0110705009
Waste Management (England and Wales) Regulations 2006

39 Codes of practice

Code of Best Practice: Safe use of sulphuric acid as an agricultural desiccant, National Association of Agricultural Contractors (NAAC), 2002 (also at www.naac.co.uk?Codes/acidcode.asp)

Code of Good Agricultural Practice for the Protection of Air, Defra PB0618
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Information on Requirements to be met by Applicants and Holders of the Aerial Application Certificate, CAA CAP 414

41 **Health and Safety Executive (HSE)**
Approved Supply List, L129, (updated regularly), ISBN 0717623688
Arboriculture and Forestry Advisory Group (AFAG) leaflets:
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50 National Farmers Union (NFU)
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51 University of Hertfordshire
Environmental Management for Agriculture (EMA) (see www.herts.ac.uk/aeru/ema/welcome.htm)
Glossary of terms used in this code and of application equipment and methods

The definitions in this glossary are for guidance only. They are not legally binding, unless it specifically states that the definition is that set by law.

**Glossary 1**
This glossary defines words used in this code.

<table>
<thead>
<tr>
<th>Term</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Active ingredient</strong></td>
<td>The part of a pesticide product which gives it its pesticidal properties. ‘Active substance’ is often used to mean the same thing.</td>
</tr>
<tr>
<td><strong>Active substance</strong></td>
<td>Any substance or micro-organism (including a virus), that has a general or specific action against harmful organisms or on plants, parts of plants or plant products. ‘Active ingredient’ is often used to mean the same thing.</td>
</tr>
<tr>
<td><strong>Adjuvant</strong></td>
<td>A substance (other than water) without significant pesticidal properties and which, when added to a pesticide before it is applied, improves or is intended to improve the effectiveness of the pesticide.</td>
</tr>
<tr>
<td><strong>Aerial application</strong></td>
<td>Applying a pesticide from an aircraft (either fixed-wing or helicopter) in flight.</td>
</tr>
<tr>
<td><strong>Approval</strong></td>
<td>All pesticide products must be approved before they can be advertised, stored, sold, supplied or used. The company wanting to sell a pesticide will usually apply for the approval. It will only be given when all the necessary evidence and information on the safety, effectiveness and, where relevant, the humaneness of the pesticide have been evaluated and considered acceptable. You can find full details of the approvals process on the PSD website (<a href="http://www.pesticides.gov.uk">www.pesticides.gov.uk</a>)</td>
</tr>
<tr>
<td><strong>Biobed (lined biobed)</strong></td>
<td>A lined pit, 1 to 1.3 metres deep, filled with a mixture of straw, soil and peat-free compost and then turfed over. When correctly used, biobeds are effective at locking in and breaking down pesticide residues resulting from drips and splashes. In certain circumstances, a lined biobed may also be used to dispose of dilute pesticide from tank washings.</td>
</tr>
<tr>
<td><strong>Biodiversity (or biological diversity)</strong></td>
<td>The richness, abundance and variety of plant and wildlife species. Both the number of species and the number of individuals within each species are important in considering the biodiversity in an area.</td>
</tr>
<tr>
<td><strong>Biological agents</strong></td>
<td>Bacteria, viruses, fungi, other micro-organisms and their associated toxins. They can affect human health in a variety of ways, ranging from relatively mild, allergic reactions to serious medical conditions, even death. They are everywhere in the natural environment – in water, soil, plants, and animals. Because many microbes reproduce quickly and need very little to survive, they are a potential danger in a wide variety of occupational settings.</td>
</tr>
<tr>
<td><strong>Glossary of terms used in this code and of application equipment and methods</strong></td>
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<tr>
<td>---------------------------------------------------------------</td>
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<tr>
<td><strong>Biological monitoring</strong></td>
<td>Measuring and assessing levels of chemicals or their ‘metabolites’ (substances the body converts the chemical into) in the breath, urine or blood of exposed workers. This monitoring may investigate either the level of exposure to an active substance or look for chemical signs of a reaction to exposure.</td>
</tr>
<tr>
<td><strong>Bystander</strong></td>
<td>Any person who is in or near the area where a pesticide is being or has been used but is not directly involved in using the pesticide.</td>
</tr>
<tr>
<td><strong>Catchment</strong></td>
<td>The area of land which water flows from (by run-off, movement through the soil or drainage) to surface water or groundwater.</td>
</tr>
<tr>
<td><strong>Cholinesterase</strong></td>
<td>An enzyme found primarily at nerve endings. It is important in sending nerve impulses in the body.</td>
</tr>
<tr>
<td><strong>Cholinesterase inhibitors</strong></td>
<td>A class of chemicals that includes many insecticides, such as parathion or carbaryl. They prevent the action of cholinesterase, which can in turn lead to a variety of symptoms such as nausea, vomiting, blurred vision, stomach cramps, and rapid heart rate.</td>
</tr>
<tr>
<td><strong>Closed-transfer system</strong></td>
<td>A way of transferring the necessary amount of a pesticide from its container to the equipment applying it in a closed system to avoid the need for pouring and measuring and so reducing the risk of contamination. Some systems are designed for use with returnable containers.</td>
</tr>
<tr>
<td><strong>Commodity substance</strong></td>
<td>Substances with an approved pesticidal use which also have other non-pesticidal uses. Approval is given only for using the substance, not for selling, supplying, storing or advertising it. There is no approval holder or approved pesticide product label. You must read, understand and follow the approved conditions of use in the approval. You can look at the approval on the PSD website (<a href="http://www.pesticides.gov.uk">www.pesticides.gov.uk</a>).</td>
</tr>
<tr>
<td><strong>Consent</strong></td>
<td>Consents are issued by ministers and allow pesticides to be advertised, sold, stored, supplied and used under certain conditions. These conditions set out general obligations for all pesticide users. (The term ‘consent’ is also used in the Water Resources Act to describe a consent to discharge effluent to surface or groundwater.)</td>
</tr>
<tr>
<td><strong>Following crop</strong></td>
<td>The next crop grown in the treated area, including when it is a treated perennial.</td>
</tr>
<tr>
<td><strong>Groundwater</strong></td>
<td>By law, all water which is below the surface of the ground in the saturation zone (the soil lying immediately under the top layer of soil) and in direct contact with the ground or subsoil.</td>
</tr>
<tr>
<td><strong>Landfill site</strong></td>
<td>Defined in the Landfill (England and Wales) Regulations as ‘a waste disposal site for the deposit of the waste onto or into land’. This applies to both landfill sites receiving waste from a range of external sources and also internal waste disposal sites used by producers to dispose of waste at the site where it is produced.</td>
</tr>
<tr>
<td><strong>Leaching</strong></td>
<td>The movement of pesticide residues through the soil by water filtering through the ground.</td>
</tr>
<tr>
<td><strong>Local Environmental Risk Assessment for Pesticides (LERAP)</strong></td>
<td>For certain pesticides you must leave ‘buffer zones’ (untreated areas) to protect water and anything living in it when you are applying pesticide with a ground crop sprayer or a broadcast air-assisted sprayer. In some circumstances, the size of the buffer zone needed, as stated on the product label, can be adjusted to suit individual situations by carrying out a LERAP. Details of the LERAP schemes for ground crop sprayers and broadcast air assisted sprayers are on the PSD website (<a href="http://www.pesticides.gov.uk">www.pesticides.gov.uk</a>).</td>
</tr>
<tr>
<td><strong>Maximum exposure limit (MEL)</strong></td>
<td>The maximum concentration of a substance in the air, averaged over a set period, which people at work can be exposed to under any circumstances. The MEL for each substance that has one is given in Schedule 1 of the COSHH Regulations. These are now referred to as Workplace Exposure Limits.</td>
</tr>
<tr>
<td><strong>Mixer or loader</strong></td>
<td>A person who is involved in mixing or loading pesticides into the tank or hopper of any application equipment.</td>
</tr>
<tr>
<td><strong>Occupational exposure standard (OES)</strong></td>
<td>The concentration of a substance in the air, averaged over a set period, at which, according to current knowledge, there is no evidence that it is likely to harm a person at work who repeatedly breathes in that concentration. These are now referred to as Workplace Exposure Limits.</td>
</tr>
<tr>
<td><strong>Parallel import</strong></td>
<td>An imported pesticide which is identical to a product already approved in the UK. A parallel import also has to get a UK approval before it can be sold, supplied, stored, used or advertised.</td>
</tr>
<tr>
<td><strong>Personal protective equipment (PPE)</strong></td>
<td>Any device or appliance, which meets the appropriate standards, designed to be worn or held by a person to protect them from one or more health and safety risks.</td>
</tr>
<tr>
<td><strong>Pesticide</strong></td>
<td>Any substance, preparation or organism that is prepared or used for controlling any pest.</td>
</tr>
<tr>
<td><strong>Pest</strong></td>
<td>Any organism that is harmful to plants, wood or other plant products, any unwanted plant, or any harmful creature.</td>
</tr>
</tbody>
</table>
| **Pesticide approved for agricultural use** | A pesticide (other than one with methyl bromide or chloropicrin as one of its active ingredients) approved for use:  
  - in agriculture and horticulture (including amenity areas);  
  - in forestry;  
  - in or near water (other than by householders); or  
  - as an industrial herbicide (such as weedkillers for use on land that is not intended for producing any crops). |
Glossary of terms used in this code and of application equipment and methods

| **Plant protection product** | An active substance or preparation that contains one or more active substances (in the form in which it is supplied to the user) which is intended to:
| | • protect plants or plant products against all harmful organisms or prevent the action of those organisms;
| | • influence the life processes of plants other than as a nutrient (for example, as a growth regulator);
| | • preserve plant products (except for substances or products which are controlled under European Union law on preservatives);
| | • destroy unwanted plants; or
| | • destroy parts of plants or control or prevent the undesired growth of plants. |

| **Reduced-volume spraying** | Applying a pesticide in a lower volume of water than the minimum volume recommended on the label for that dose. |

| **Respiratory protective equipment (RPE)** | Any respiratory or breathing apparatus, which meets the appropriate standards and is designed to prevent or control contamination from breathing in a substance. |

| **Specific off-label approval (SOLA)** | Other approved uses of a pesticide product (possibly on a minor crop or in an uncommon situation) as well as the uses described on the product label. If you use a pesticide under a SOLA you must read, understand and follow the approved conditions of use set out in the Notice of Approval for that SOLA. You can view the approval on the PSD website (www.pesticides.gov.uk). |

| **Spray quality** | A classification reflecting the size of droplet in a spray, normally expressed in terms of the ‘Volume median diameter (VMD)’. Under the British Crop Protection Council (BCPC) scheme, the following categories are used:
| | **Volume median diameter** | **Size classification** |
| | Less than 25µm | Fine aerosol (‘Fog’ or ‘Very fine spray’)
| | 26 to 50µm | Coarse aerosol (‘Fog’ or ‘Very fine spray’)
| | 51 to 100µm | Mist (‘Very fine spray’)
| | 101 to 200µm | Fine spray
| | 201 to 300µm | Medium spray
| | More than 300µm | Coarse spray |
### Substance hazardous to health

Any substance (including any preparation) which:
- is listed in Part I of the Approved Supply List as dangerous within the meaning of the Chemical (Hazard Information and Packaging) Regulations 1993, and which is classified as ‘very toxic’, ‘toxic’, ‘harmful’, ‘corrosive’ or ‘irritant’;
- has a maximum exposure limit specified in Schedule 1 of the COSHH regulations or the Health and Safety Commission has approved an ‘occupation exposure standard’ for;
- is a biological agent;
- is a dust of any kind when present at a substantial concentration in the air; or
- not mentioned in the list above, but which creates a similar danger to the health of any person.

### Swale
A broad shallow drain used as part of sustainable urban drainage schemes (SUDS).

### Tank mix
A spray solution, prepared by the user, containing a mixture of two or more pesticide products.

### Tremcard
A transport emergency card containing essential information for the driver and the emergency services. This card must be prominently displayed in the cab of a vehicle carrying dangerous goods on the road.

### Water abstraction
Removing water, either permanently or temporarily, from any source including groundwater (for example, wells and boreholes) or surface water (rivers, streams, lakes and coastal waters). In the UK, the main water abstractors are statutory water supply undertakers, households, irrigated agriculture, industry and energy generators.
Glossary 2

The definitions in glossary 2 relate to equipment and methods of applying pesticides. They are loosely based on the NPTC assessment schedules for certificates of competence in using pesticides safely.

<table>
<thead>
<tr>
<th>Term</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Air assistance</strong></td>
<td>Using forced air to carry spray droplets to their intended target (see ‘Broadcast air-assisted spraying’ and ‘Downward placement air-assisted spraying’).</td>
</tr>
<tr>
<td><strong>Air-inclusion (air-induction) nozzle</strong></td>
<td>A type of hydraulic nozzle with an air inlet so that the flow of liquid through the nozzle sucks in air which mixes with the spray liquid. These nozzles usually produce a coarse spray with many droplets containing one or more bubbles of air.</td>
</tr>
<tr>
<td><strong>Broadcast air-assisted spraying</strong></td>
<td>Using any equipment which broadcasts spray droplets, in an air stream produced by forced air, which carry upwards and outwards from the source of the spray.</td>
</tr>
<tr>
<td><strong>Controlled droplet application (CDA)</strong></td>
<td>See ‘Rotary atomiser’</td>
</tr>
<tr>
<td><strong>Deflector (flooding, anvil, impact) nozzle</strong></td>
<td>A nozzle of either the ‘hydraulic’ or ‘twin-fluid’ type which produces a fan-shaped spray pattern when a cylindrical jet of liquid passes through a relatively large hole and hits a smooth, angled surface at a high speed. Generally, for hydraulic types, these nozzles produce relatively large droplets and are used at low pressures.</td>
</tr>
<tr>
<td><strong>Downward placement air-assisted spraying</strong></td>
<td>Using a forced stream of air to force the pesticide downwards (for example to help it to penetrate a crop canopy or reduce off-target drift).</td>
</tr>
<tr>
<td><strong>Electrostatically charged</strong></td>
<td>Material which has had an electrostatic charge added to help deposit the pesticide on target.</td>
</tr>
<tr>
<td><strong>Fog</strong></td>
<td>A space treatment using a droplet with a volume median diameter of less than 50µm, and with more than 10% of the spray volume having a droplet diameter smaller than 30µm. This includes both thermal fogs produced in a very hot air flow and cold fogs produced by a whirling mass of air.</td>
</tr>
<tr>
<td><strong>Fumigation</strong></td>
<td>An operation in which the pesticide acts as a gas, although it may not be applied in the form of a gas, to control or kill pests or other undesirable organisms.</td>
</tr>
<tr>
<td><strong>Granule applicator</strong></td>
<td>Any equipment, possibly air-assisted, which applies pesticides in granule form.</td>
</tr>
<tr>
<td><strong>Ground crop sprayer</strong></td>
<td>Any equipment of the spray boom type which applies pesticides using a horizontal boom.</td>
</tr>
<tr>
<td><strong>Hand-held applicator</strong></td>
<td>Any equipment carried by a person or where the pesticide delivery nozzle or outlet is supported directly by the user.</td>
</tr>
<tr>
<td><strong>Hydraulic nozzle</strong></td>
<td>A device though which spray liquid is given out, broken up into droplets and scattered using the pressurised liquid as the energy source.</td>
</tr>
<tr>
<td><strong>Induction bowl or hopper</strong></td>
<td>Metal, plastic or fibreglass hoppers attached to the side of the sprayer or the nurse tank that allow pesticides to be added to the mix tank without the person climbing onto the spray rig. Pesticides are poured into the bowl and water is added to flush out the bowl and carry the pesticide to the spray tank. A rinse nozzle is often mounted inside the bowl for rinsing out empty pesticide containers.</td>
</tr>
<tr>
<td><strong>Mist</strong></td>
<td>A space treatment using a droplet with a volume median diameter of 51 to 100µm, and with less than 10% of the volume of the spray having a droplet diameter smaller than 30µm.</td>
</tr>
<tr>
<td><strong>Mounted equipment</strong></td>
<td>Any pesticide application equipment which is mounted on, attached to or which forms a permanent part of the prime mover.</td>
</tr>
<tr>
<td><strong>Pedestrian-controlled equipment</strong></td>
<td>Any equipment which is supported by a mechanical carriage controlled by a person who does not ride in or on the carriage.</td>
</tr>
<tr>
<td><strong>Pre-orifice nozzle</strong></td>
<td>A hydraulic nozzle which incorporates a second hole upstream of the outlet. This decreases the pressure through the nozzle and so reduces the proportion of small droplets.</td>
</tr>
<tr>
<td><strong>Prime mover</strong></td>
<td>Any self-propelled vehicle used by a person who rides in or on the vehicle.</td>
</tr>
<tr>
<td><strong>Roller table equipment (conveyor-belt mounted equipment, planter-mounted equipment and so on)</strong></td>
<td>Application equipment which is mounted on, attached to, or forms a permanent part of a treatment system.</td>
</tr>
<tr>
<td><strong>Rotary atomiser</strong></td>
<td>A device in which a rotating solid surface, such as a cup, disc, wheel or cage, is the main source of energy used to produce a spray.</td>
</tr>
<tr>
<td><strong>Seed-treating equipment</strong></td>
<td>Any equipment, either mobile or static, which applies pesticides on cereal grains, pulses and other small seeds.</td>
</tr>
<tr>
<td><strong>Shrouded boom sprayer</strong></td>
<td>A horizontal boom sprayer, that is mounted on a vehicle, trailed or pedestrian-controlled, and which incorporates a shroud designed to prevent, or reduce, off-target drift. The shroud could be with a flexible skirt in contact with the target.</td>
</tr>
<tr>
<td><strong>Smoke</strong></td>
<td>A space treatment using a device to produce smoke containing the pesticide’s active substance.</td>
</tr>
<tr>
<td>Term</td>
<td>Definition</td>
</tr>
<tr>
<td>-------------------------------------------</td>
<td>----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Spray train</td>
<td>Any vehicle running on rails that has equipment for applying pesticides to the track, trackside or nearby areas and which is mounted on or attached to the vehicle or forms a permanent part of the vehicle.</td>
</tr>
<tr>
<td>Sprayer</td>
<td>Any equipment used to apply sprays that have droplets within limits described by the British Crop Protection Council nozzle classification scheme as ‘coarse’, ‘medium’, ‘fine’ and ‘very fine’.</td>
</tr>
<tr>
<td>Sub-surface liquid applicator</td>
<td>Any equipment, except pedestrian-controlled equipment, which is designed to apply liquid pesticides below the surface of the ground.</td>
</tr>
<tr>
<td>Trailed equipment</td>
<td>Any application equipment which is trailed behind the prime mover.</td>
</tr>
<tr>
<td>Twin-fluid nozzle</td>
<td>A nozzle in which air under pressure is mixed with the spray liquid before it reaches the nozzle’s hole.</td>
</tr>
<tr>
<td>Variable geometry sprayer</td>
<td>Any equipment which applies pesticides using a boom which can be positioned horizontally or vertically to suit the target.</td>
</tr>
<tr>
<td>Vehicle-mounted kerb sprayer</td>
<td>Any equipment which is mounted on, fixed to, or forms part of any vehicle for applying pesticides on roadside kerbs.</td>
</tr>
<tr>
<td>Water volume (application volume)</td>
<td>The volume of a spray liquid, including all pesticides, diluents, adjuvants, carriers and other components of the spray solution, applied in each unit area, normally expressed as litres per hectare.</td>
</tr>
<tr>
<td>Wick applicator or weed wiper</td>
<td>Any equipment which applies pesticides to the target by direct contact with an impregnated absorbent surface (wick, pad or roller).</td>
</tr>
</tbody>
</table>
Addresses

ADAS Environmental
Gleadthorpe Grange
Meden Vale
Mansfield
Nottinghamshire
NG20 9PD
Phone: 01623 846742

Agricultural Engineers’ Association (AEA)
Samuelson House
Paxton Road
Orton Centre
Peterborough
Cambridgeshire
PE2 5LT
Phone: 01733 362925
Website: www.aea.com.uk

Agricultural Industries Confederation (AIC)
Confederation House
East of England Showground
Peterborough
Cambridgeshire
PE2 6XA
Phone: 01733 385230
Website: www.agrindustries.org.uk

Association of Independent Crop Consultants
Agriculture House
Station Road
Liss
Hampshire
GU33 7AR
Phone: 023 80895354
Website: www.aicc.org.uk

BASIS (Registration) Limited
34 St John Street
Ashbourne
Derbyshire
DE6 1GH
Phone: 01335 343945
Website: www.basis-reg.com

BCPC (formerly the British Crop Protection Council)
7 Omni Business Centre
Omega Park
Alton
Hampshire
GU34 2QD
Phone: 01420 593200
Website: www.bcpc.org

British Pest Control Association (BPCA)
1 Gleneagles House
Vernon Gate
South Street
Derby
Derbyshire
DE1 1UP
Phone: 01332 294288
Website: www.bpca.org.uk

British Beekeepers’ Association
National Agricultural Centre
Stoneleigh
Kenilworth
Warwickshire
CV8 2LG
Phone: 024 76696679
Website: www.bbka.org.uk

Centre for Aquatic Plant Management (CAPM)
Broadmoor Lane
Sonning
Reading
Berkshire
RG4 6TH
Phone: 0118 9690072
Website: www.capm.org.uk

Chartered Institution of Wastes Management (CIWM)
9 Saxon Court
St Peter’s Gardens
Marefair
Northampton
NN1 1SX
Phone: 01604 620426
Website: www.ciwm.co.uk
Addresses

**Countryside Commission**
John Dower House
Crescent Place
Cheltenham
Gloucestershire
GL50 3RA
Phone: 01242 521381
Website: www.countryside.gov.uk

**Countryside Council for Wales (CCW)**
Plas Penhros
Ffordd Penhros
Bangor
Gwynedd
LL57 2LQ
Phone: 01248 370444
Website: www.ccw.gov.uk

**Crop Protection Association (UK) Limited (CPA)**
4 Lincoln Court
Lincoln Road
Peterborough
Cambridgeshire
PE1 2RP
Phone: 01733 294222
Website: www.cropprotection.org.uk and www.voluntaryinitiative.org.uk

**Department for Environment, Food and Rural Affairs (Defra)**
Nobel House
17 Smith Square
London
SW1P 3JR
Phone: 020 72386000
Website: www.defra.gov.uk

**English Nature**
Northminster House
Peterborough
Cambridgeshire
PE1 1LA
Phone: 01733 455000
Website: www.english-nature.org.uk

**Environment Agency**
Rio House
Waterside Drive
Aztec West
Almondsbury
Bristol
BS12 4UD
Phone: 08708 506506
24-hour emergency phone: 0800 807060
Website: www.environment-agency.gov.uk

**Farmers’ Union of Wales**
Llys Amaeth
Queen’s Square
Aberystwyth
Dyfed
SY23 2EA
Phone: 01970 612755
Website: www.fuw.org.uk

**Farming and Wildlife Advisory Group (FWAG)**
National Agricultural Centre
Stoneleigh
Kenilworth
Warwickshire
CV8 2LG
Phone: 024 76696699

**Forestry Commission**
231 Corstorphine Road
Edinburgh
EH12 7AT
Phone: 0131 3340303
Website: www.forestry.gov.uk

**The Game Conservancy Trust**
Burgate Manor
Fordingbridge
Hampshire
SP6 1EF
Phone: 01425 652381
Website: www.gcb.org.uk
Contact your nearest HSE office (the address and phone number will be in The Phone Book under ‘Health and Safety Executive’) to report pesticide-related human health. For out-of-hours emergencies, phone 0151 9229235.

Lantra Sector Skills Council (and Lantra Awards)
Lantra House
National Agricultural Centre
Stoneleigh
Kenilworth
Warwickshire
CV8 2LG
Phone: 024 76696996 (Sector Skills Council)
Phone: 024 76419703 (Lantra Awards)
Website: www.lantra.co.uk
Website: www.lantra-awards.co.uk

Linking Environment and Farming (LEAF)
National Agricultural Centre
Stoneleigh
Kenilworth
Warwickshire
CV8 2LZ
Phone: 024 76413911
Website: www.leafuk.org

National Assembly for Wales
Cathays Park
Cardiff
CF10 3NQ
Phone: 029 20826144

National Association of Agricultural Contractors (NAAC)
Samuelson House
Paxton Road
Orton Centre
Peterborough
Cambridgeshire
PE2 5LT
Phone: 01733 362920
Website: www.naac.co.uk
The Stationery Office (TSO)
TSO orders/Post Cash Dept
PO Box 29
Norwich
NR3 1GN
Phone orders: 0870 600 5522
Website: www.tso.co.uk

Water UK
1 Queen Anne’s Gate
London
SW1H 9BT
Phone: 020 7344 1844
Website: www.water.org.uk

Welsh Beekeepers’ Association (WBA)
Pencefn
Tynreithin
Tregaron
SY25 6LL
Phone: 01974 298336
Website: www.wbka.com

Wildlife Administration Unit
Defra
Burghill Road
Westbury on Trym
Bristol
BS10 6JN
Phone: 0800 321 600
E-mail: Bristol.wildlife@defra.gsi.gov.uk
Website: www.defra.uk/wildlife-countryside/vertebrates/
Guidance on using personal protective equipment

Follow the guidance in this annex when you are using a pesticide in a situation not covered by the product label (or the appropriate notice of approval when using a pesticide for an approved use not specified on the product label or using a substance that has a non-pesticidal use but is approved for use as a pesticide) or when you need extra protection.

<table>
<thead>
<tr>
<th>Situation (some situations occur in more than one row)</th>
<th>Reason</th>
<th>Wear</th>
</tr>
</thead>
<tbody>
<tr>
<td>• All situations (including all those set out below)</td>
<td>Good occupational hygiene practice, to avoid exposure of your hands and skin and to keep your personal clothing clean</td>
<td>Coverall, Gloves, Boots</td>
</tr>
<tr>
<td>• Preparing products</td>
<td>To avoid exposure to ‘very toxic’, ‘toxic’ or ‘corrosive’ products</td>
<td>Apron (for liquid products), coveralls, gloves and boots</td>
</tr>
<tr>
<td>• Handling contaminated equipment and containers</td>
<td>To avoid the chance of eye, face or head contamination (for example, by splashes or contact with droplets or particles in the air)</td>
<td>Face-shield for splashes, hood, coveralls, gloves and boots</td>
</tr>
</tbody>
</table>
## Guidance on using personal protective equipment

<table>
<thead>
<tr>
<th>Situation (some situations occur in more than one row)</th>
<th>Reason</th>
<th>Wear</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Handling and applying dusts</td>
<td>To avoid breathing in droplets, particles or gases in the air</td>
<td>Respiratory protective equipment (full-face type if product is ‘very toxic’), coveralls, gloves and boots</td>
</tr>
<tr>
<td>• Handling contaminated equipment and empty containers after applying dusts</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Handling and applying ‘very toxic’ granules</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Applying fogs, smokes or gases</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Reduced-volume spraying outdoors by a vehicle without a closed cab or hand-held sprayers</td>
<td>To avoid increased exposure from using a more concentrated spray solution</td>
<td>Face-shield, coveralls, gloves and boots</td>
</tr>
<tr>
<td>• Reduced-volume spraying by indoor sprayers and outdoor equipment on a vehicle without a closed cab</td>
<td>To avoid increased exposure from using a more concentrated spray solution</td>
<td>Face-shield, RPE, hood, an apron for ‘harmful’ or ‘irritant’ products, and coveralls, gloves and boots</td>
</tr>
<tr>
<td>• Applications using ATV-mounted or trailed equipment</td>
<td>To avoid increased exposure from using a vehicle without a closed cab</td>
<td>Face-shield, hood, coveralls, gloves and boots</td>
</tr>
<tr>
<td>• Applying from tractors without closed cabs</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Notes

Coveralls – choose your coveralls for the particular purpose, in line with the following table.

<table>
<thead>
<tr>
<th>Purpose</th>
<th>CEN type</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Protection against: liquid jets</td>
<td>Type 3</td>
<td>Chemical protective clothing where liquid cannot pass through the connections between different parts of the clothing</td>
</tr>
<tr>
<td>sprays</td>
<td>Type 4</td>
<td>Chemical protective clothing where spray cannot pass through the connections between different parts of the clothing</td>
</tr>
<tr>
<td>solid particles</td>
<td>Type 5</td>
<td>Reusable and limited-use protective clothing which particles cannot pass through</td>
</tr>
<tr>
<td>liquid splashes and solid particles</td>
<td>Type 6</td>
<td>Reusable and limited-use protective clothing offering limited protection against liquid splashes and aerosols and solid particles</td>
</tr>
</tbody>
</table>

Gloves – unless the pesticide label or a specific COSHH assessment says otherwise, gloves should be made from nitrile rubber, be at least 0.5 millimetres thick and at least 300 millimetres long. Gloves should be taken off when entering ‘clean’ areas such as tractor cabs.

Boots – appropriate boots are wellington boots or waterproof footwear.

Face-shields – choose face-shields that give full protection of your face and do not mist up when you use them (anti-mist visors).

Respiratory protective equipment – your choice will depend on the product label and a COSHH assessment. Consider the following as the basic conditions.

- Potential dust particles or spray droplets in the air: Use an EN 149 particle-filtering half mask FF2-SL or EN 140 + 143 half mask connected to particle filter P2
- Potential vapour in the air: Use an EN 140 + 141 half mask connected to combined filters A1P2

Open-backed cabs – open cabs (including cabs with open rear windows) do not count as closed cabs as spray can be drawn inside.
Record sheet for pesticide treatments

You might find this record of your pesticide treatments useful. You may want to add or take away columns because of the specific circumstances of your particular treatments. If you are keeping written records rather than computer ones, you might want to use a large book opened to a double page to give yourself plenty of room to add or take away columns, record different information and so on. You will then be able to see all of the information at once.

The notes referred to in the columns are at the bottom.

<table>
<thead>
<tr>
<th>Worker’s name</th>
<th>Job reference</th>
<th>Date</th>
<th>Site treated</th>
<th>Crop, area, material or structure treated</th>
<th>Reason for treatment</th>
<th>Product and MAPP or HSE number (see note 1)</th>
<th>Dose of product applied (litres or kilograms per hectare)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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</tbody>
</table>

**Note 1:** show all products when a mixture is used.

**Note 2:** you should record:

- periods when crops should not be harvested, people or animals should not be allowed on the site, or ventilation is needed, as appropriate;
- whether the crop or weeds are in flower;
- whether you have told neighbours, beekeepers or others;
- whether you have displayed (and removed) warning signs; and
- whether you had any problems when using the pesticide.
It is good practice to make a note of the effectiveness of the treatment and any damage noticed after an appropriate time.

You may need to make extra records, where appropriate. For example:

- to meet the conditions of the LERAP schemes, crop assurance schemes or the woodland assurance standard; or

- when you are applying certain pesticides or working in certain situations (see section 4 of this code).

<table>
<thead>
<tr>
<th>Volume applied (litres per hectare)</th>
<th>Total amount of product used (litres or kilograms)</th>
<th>Total area treated (hectares or square metres)</th>
<th>Start time</th>
<th>Finish time</th>
<th>Total hours</th>
<th>Weather conditions (such as wind speed and direction)</th>
<th>Other relevant information (see note 2)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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</table>

**Record sheet for pesticide treatments**
Applying pesticides from an aircraft

52 You must meet specific legal obligations before, during and after applying pesticide from the air. You can only use products which are specifically approved for this purpose, and you must regularly send details of all pesticides applied from aircraft to:

- Pesticides Usage Survey Group (PUSG)
- Defra
- Central Science Laboratory
- Sand Hutton Lane
- Sand Hutton
- York.

You must follow the conditions of use shown on the product label when applying pesticides from the air.

Everyone applying pesticides from an aircraft must hold a Civil Aviation Authority qualification (the aerial application certificate) and, in the case of contractors or people born after 31 December 1964, the appropriate certificate of competence in applying pesticides.

Under the Control of Pesticides Regulations 1986 (as amended) you must give notice to specific organisations before applying a pesticide from the air. You will also need to consult the following organisations (see below and table 6) and get their agreement before carrying out the treatment.

53 Consultation

Consultation means more than just giving notice to the relevant authorities. It should take place well before you intend to apply pesticide and certainly not after the minimum consultation period set by law. The person applying the pesticide will need to provide the information so the organisations consulted can comment in full. You will need to take account of the organisations’ views when deciding how to apply the pesticide (or whether to apply it at all). If you are not sure what to do, talk to the organisations concerned for more advice.

Ideally, you will consult the relevant authorities when deciding to use a contractor to apply pesticides from the air. This will give the organisations consulted as much time as possible to consider the matter. They will then have reached a decision by the time you carry out the consultation you need to do by law.

When you give notice that you intend to apply a pesticide from the air, you must include the following information:

- The name, address and, where possible, phone number of the person applying the pesticide;
- The name of the pesticides you will use and their active ingredients;
- The date and time you intend to apply the pesticide;
- Confirmation that you have given the same details to the Chief Environmental Health Officer for the district.
54 **Consultation and conditions for giving notice before applying a pesticide from the air**

Under the Control of Pesticides Regulations 1986 (as amended) any person applying a pesticide from the air must do the following:

55 **At least 72 hours** before starting the treatment you must do the following:

- Consult the relevant conservation agency (English Nature or the Countryside Council for Wales) if any part of a local nature reserve, marine nature reserve, a national nature reserve or a site of special scientific interest lies within 1500 metres of any part of the land to be treated;
- Consult the appropriate area office of the Environment Agency if the land to be treated is next to, or within 250 metres of, water;
- Get permission from the Environment Agency if the pesticide will be applied to control weeds in water or on the banks of watercourses or lakes.

56 **At least 48 hours** before starting the treatment you must do the following:

- Give notice to the appropriate reporting point of the local beekeepers’ spray-warning scheme running in the district.

57 **At least 24 hours** and (as far as reasonably possible) no more than 48 hours before starting the treatment, give notice to:

- the Chief Environmental Health Office for the district;
- the people occupying any property within 25 metres of the boundary of the land to be treated (or those people’s agents); and
- the person in charge of any hospital, school or other institution with boundaries lying within 150 metres of the flight path intended to be used for the treatment.

58 **At least 24 hours** before starting the treatment you must do the following:

- Put sturdy and clear signs within 60 metres of the land to be treated to tell people about the place, date and time of the treatment.

You can find information on these and other legal conditions in the Civil Aviation Authority (CAA) booklet ‘Information on requirements to be met by applicants and holders of the aerial application certificate’ (CAP 414).
Things to consider when preparing and managing contracts for applying pesticides in amenity areas

59 If you are writing up or managing contracts for applying pesticides in amenity areas you should read the following guidance. It will help you to make sure that:

- all the work will be carried out in line with the relevant law; and
- the risks to people, wildlife and the environment will be assessed and adequately controlled.

60 Preparing tenders

Anyone preparing a contract for pesticide to be applied should:

- take account of any relevant law; and
- consider the possible negative effects the pesticide may have on people, wildlife and the environment.

You should consider the following checklist when preparing land managing contracts. If you are not sure about anything, get expert advice.
Things to consider when preparing and managing contracts for applying pesticides in amenity areas

61 Policy on using pesticides
- Have you considered alternative methods of control?
- Have you taken account of risks to people and the environment?
- Are you using the minimum amount of pesticides?

62 Objective
- Do you have a clear understanding of the cause and effect of the problem to be treated?
- What does the contract aim to achieve?

63 Laws
- Do you know and understand all relevant laws and codes of practice relating to supplying, storing and using pesticides?

64 Employees
- Do you have enough trained and appropriately qualified staff and do they have the relevant expertise and knowledge?

65 Performance standard
- Do you want to set standards that must be met and put these in the contract?

66 Areas for treating
- Have you defined the areas to be treated (including any relevant measurements, maps and plans)?
- Do your employees or the contractor know where sensitive and vulnerable areas (such as schools, hospitals, old people’s homes, watercourses, groundwater protection zones, sites of special scientific interest and nature reserves) are?

67 Monitoring
If you have a programme for monitoring the contract, can you make sure that:
- the conditions and standards of the contract are met; and
- appropriate records are kept.

68 Review
- You should review all aspects of long-term contracts each year to make sure they act in line with any changes in policy, law, controls or any other factor that is likely to affect the contract.
69 Mixtures

- Where you or an employee, contractor or supplier acting for you mixes pesticides with other substances, only enough mixture for the day’s use should be made.
- However, unforeseen circumstances, such as bad weather conditions, may make it necessary to keep material for use in the next few days.
- If you have to keep material for use in the next few days, by law you or the contractor must make a new safety assessment on labelling and storing the mixture safely to make sure that, as far as is possible, no unacceptable risks are created.
- Do not store mixed products for long periods or in large amounts.

Proper guidance on the law about selling and mixing pesticides is given in a leaflet available from PSD or on the PSD website (www.pesticides.gov.uk).

Contract details
70 Work to be carried out
In the contract it would be a good idea to include a statement on the type and range of work to be carried out, with specific details of areas to be treated including:

- appropriate measurements;
- information on any unusual risks;
- any other proposed work (such as building work);
- any restrictions on working hours or machinery that may be used; and
- any specific instructions for working in or near sensitive or vulnerable areas.

71 Choice of pesticide
- In the contract you should specify the pesticide products to be used and their MAPP or HSE numbers (also written as active ingredients) and the rates of application.
- If you want the contractor to specify which pesticides they are going to use, you may want to ask them to give you a list of the pesticides (including MAPP or HSE numbers) they will use for each part of the contract, giving the application rates and number of treatments considered necessary.

72 Reporting and keeping records
- It is best practice for the contractor’s representative on site to regularly report to your representative (perhaps once a week) to give you a detailed record of the work done and the plan for future work.

73 Documents you might ask contractors to provide
You may want the contractor to send you the following documents with their tender for the contract:

- A copy of their insurance certificates;
- The names and addresses of two referees they have carried out work of a similar type and value for;
- A copy of their storage certificate (unless less than 200 litres or 200 kilograms of pesticide are being stored);
- Copies of the appropriate NPTC certificates of competence for anyone who will be applying the pesticide or supervising the work;
- A copy of the contractor’s safety policy, risk assessment and control procedures (as instructed under the Health and Safety at Work etc. Act and its associated regulations);
- Details of membership of any professional body or trade association;
- Details of the contractor’s waste management policy;
Details of the contractor's standard operating procedures (SOPs), directly related to the work as specified in the contract.

74 Monitoring contracts

It is good practice to monitor work carried out under contracts to make sure that all legal and safety conditions, and agreed standards, are met. A monitoring programme may cover the following:

75 Preparing tenders

- Make sure that the contract schedules are an accurate record of the areas to be treated.
- Make sure the pesticides specified are adequate and suitable to achieve the aim of the treatment.
- Decide how often site inspections should take place.
- Prepare a checklist of the areas to be assessed during site inspections.

76 Carrying out the contract

When the contract is being carried out, you may want to visit all the sites to make sure of the following:

- The work is being carried out safely, legally and in line with relevant codes of practice;
- The people applying the pesticide are using suitable personal protective equipment and have the appropriate NPTC certificates of competence;
- The contractor's vehicles are suitably equipped to deal with any spillage or similar incident;
- The pesticides are being mixed and prepared in an appropriate location and in a safe and legal way;
- Only the people named in the documents provided with the tender are using pesticides;
- The pesticides being applied are as agreed in terms of the approved products, rates and method of application. (If any samples are tested, two samples should be taken, sealed immediately, and one should be left with the contractor.)
Things to consider when preparing and managing contracts for applying pesticides in amenity areas

- All appropriate health and safety regulations are being followed;
- The pesticides are being stored on site in a safe and legal way;
- The appropriate records of the pesticides applied and the areas treated are being kept;
- All environmental risks are being managed appropriately;
- Written records are kept to show that leftover spray solution, tank washings and empty packaging are being disposed of safely, legally and in line with relevant codes of practice.

77 Assessing the performance of contracts

It is good practice to inspect all sites while the contract is being carried out and at appropriate intervals after it has ended to assess how effective the treatment is and, where necessary, ask the contractor to put things right.
Things to consider when using pesticides in high-security or high-risk amenity and industrial areas

78 You should take special care when applying pesticides in areas such as railways, gas and electricity plants, Ministry of Defence sites, oil refineries, public roads and motorways. This is because of the increased dangers at these sites and the need to take any extra safety precautions demanded at the site.

If you are supervising work on high-risk sites, you should fully understand:

- what work has to be done;
- how and when to contact the site’s liaison officer;
- the local risks; and
- the safety precautions you must take as a result of the local risks (when working on public roads this will include meeting the Road Traffic Regulations).

79 You may also need to consider the following:

- Access to the site may be restricted to specific times, and certain types and sizes of vehicle may not be allowed;
Things to consider when using pesticides in high-security or high-risk amenity and industrial areas

- You may need a work permit or to be escorted on site;
- The controller of the site should supply you with all the relevant information and everyone involved should clearly understand the arrangements;
- You may want to agree appropriate penalties if you or the person who has to escort you does not arrive on schedule;
- Access routes to the site may be over land that is not controlled by the person who controls the site. You should make sure you have the permission you need to reach the site with the equipment you propose to use;
- For site security, visitors or your staff not directly involved in the work may only be allowed onto the site with the specific permission of the site controller (perhaps in writing).

As most of these sites are enclosed, it is best practice to see that you remove all rubbish and waste materials from site at the end of the work. You may want to have this done every day.

Special conditions apply to individual sites within any one contract. Make sure these are clear before you start work.

You should make sure any application equipment left on site is secure. If you leave any pesticides on site you must have the written permission of the site controller and they must be stored safely and securely.

The person supervising the work should contact local site controllers at least seven days before work is due to start to check whether:

- any special conditions apply to each site; and
- there will be other work in progress on the site while pesticides are being used.

80 You must not allow pesticides being applied to drift beyond the target area. If the weather conditions become unsuitable, stop work and tell the site controller what has happened.
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