



UK Article 68 Report - 2023

Monitoring and control of plant protection products in the United Kingdom

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1. Executive summary

This report describes the official controls carried out by the UK in 2023 under the provisions of Retained Regulation (EC) No 1107/2009, by the Chemicals Regulation Division of the Health and Safety Executive (HSE), and by other enforcing authorities.

This report introduces the official controls carried out to check compliance with the requirements for placing on the market and use of plant protection products (PPP) and the sustainable use of pesticides as required under retained Regulation (EU) 2017/625.

In Great Britain, pesticide enforcement officers (PEO) created by HSE conduct official controls on operators with HSE's enforcement remit on the supply and use of PPP in Great Britain (England, Scotland and Wales). In Northern Ireland a similar programme will be undertaken by enforcement officers within the Department of Agriculture, Environment and Rural Affairs (DAERA).

Operators include authorisation holders, importers, manufacturers, formulators, those who package and label plant protection products, distributors/sellers and users of plant protection products authorised for professional use.

The PEOs carried out 374 Official Controls during 2023 where they visited a range of operators that store plant protection products. These visits resulted in a number of different enforcement outcomes including verbal advice, letters and official notices.

The report also explores other enforcement activities by HSE undertaken for the whole of the UK, covering areas like maximum residue levels in food (MRL) and investigations into wildlife (WIIS) and human health incidents (HHEIS).

2. Legal Basis

Relevant EU legislation

Regulation (EC) No 1107/2009 concerning the authorisation of plant protection products (PPPs) came into force on 14 June 2011 and applies directly in the UK as retained EU law (REUL) from 01 January 2021 as established under the European Union (Withdrawal) Act 2018.

- Article 68 of Regulation (EC) No 1107/2009 requires the Competent Authority to publish the scope and outcome of the official controls performed in order to verify compliance with this Regulation.

Regulation (EU) 2017/625 concerning the official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare and plant health and plant protection products.

- Article 10 of Regulation (EU) 2017/625 requires competent authorities to perform official controls to ascertain compliance with requirements for placing on the market and use of plant protection products and the sustainable use of pesticides.
- Article 11 of Regulation (EU) 2017/625 requires that competent authorities shall perform official controls with a high level of transparency and shall, at least once a year, make available to the public, including through publication on the internet, relevant information concerning the organisation and the performance of official controls.

Relevant national legislation

The powers necessary to enforce Regulation (EC) No 1107/2009 are contained in the following legislation :

- Plant Protection Products Regulations 2011 (SI 2011/2131) and Plant Protection Products Regulations (Northern Ireland) 2011 (SR 2011/295)
- The Plant Protection Products (Sustainable Use) Regulations 2012 (SI 2012/1657)
- Regulation (EU) 2017/625 is carried out under The Official Controls (Plant Protection Products) Regulations 2020 (SI 2020/552) for Great Britain and The Official Controls (Plant Protection Products) Regulations (Northern Ireland) 2020 (SR 2020/360)

UK national legislation is available on-line at <http://www.legislation.gov.uk>.

Terms of Reference

This Article 68 report focusses on collating and compiling 2023 UK Competent Authority official controls undertaken to verify compliance with Regulation 1107/2009 through provision of details on the scope and outcome, without establishing conclusions to attest regulatory compliance of annual official controls undertaken. It reflects the full scope of programmes or schemes with enforcement remits and provides links for further information.

3. Organisation of official controls on plant protection products

The Chemicals Regulation Division (CRD) of the HSE delivers Competent Authority functions for PPPs as well as for a number of other schemes:

- Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH)
- Classification, labelling and packaging (CLP)
- Biocides
- Detergents
- Prior Informed Consent (PIC), the import and export of dangerous substances

for which HSE is the appointed authority for the UK.

The EU Official Controls Regulation (OCR) came into force within the European Union on 14 December 2019 and has been retained in GB law under the European Union (Withdrawal) Act 2018, whilst continuing as the EU OCR applicable in Northern Ireland under the European Union (Withdrawal) Act 2018 and The Windsor Framework agreement (February 2023).

The OCR addresses official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and for the first time incorporates controls on PPPs. The Official Controls (Plant Protection Products) Regulations 2020 (UK Statutory Instrument) applicable to GB and The Official Controls (Plant Protection Products) Regulations (Northern Ireland) 2020 (NI Statutory Rules) applicable to Northern Ireland, supplement existing regulations that govern the sale and use of PPPs.

Responsibility for PPP enforcement is shared between HSE, local authorities and the Agriculture Departments of the devolved Governments. HSE is authorised to enforce controls on the storage and use of PPPs as part of enforcement within its remit, such as in industrial settings and by professional contractors in private dwellings. Local authorities enforce controls for those areas not under HSE's jurisdiction.

The Department for Environment, Food and Rural Affairs (Defra), the Scottish, Welsh and Northern Ireland devolved Governments and HSE collectively undertake monitoring and enforcement of legislation governing pesticides and residues for the UK.

Official Controls for plant protection products are delivered by HSE for GB and by the Department of Agriculture, Environment and Rural Affairs (DAERA) for Northern Ireland, whilst HSE is also responsible for:

- monitoring of food pesticide residues and annual reporting for the UK
- undertaking and reporting an annual Human Health Enquiry and Incident Survey
- monitoring effects of PPP on Wildlife, including pet animals and beneficial invertebrates in the UK
- control on composition of plant protection products

Cross Compliance is administered by the Rural Payments Agency (RPA) and Rural Payments Wales (RPW) as the appointed Competent Control Authority (CCA) respectively for England and Wales with Scottish Government Rural Payments and Inspections Directorate in Scotland and DAERA administering Cross Compliance for Northern Ireland. These bodies undertake inspections to check that only authorised PPPs are used and that they are used in compliance with their conditions of use, good agricultural practice and as part of an integrated approach to controlling pests and disease.

For England, 2023 was the final year of Cross Compliance. While cross-compliance ended on 31 December 2023, existing domestic legislation and regulatory requirements continue to apply from 01 January 2024 with regulatory and enforcement bodies continuing to monitor compliance.

4. Report on control measures and inspection results

The UK has both an intelligence-led and proactive, risk-based approach to intervention to ensure compliance with PPP Legislation in line with the requirements specified in Article 68 and in a way which is consistent with HSE's and DAERA's policy on enforcement.

Details on HSE's enforcement policy which applies in GB and a link to the HSE's Enforcement Policy Statement (EPS) can be found at:

<http://www.hse.gov.uk/enforce/enforcement.htm>

Details on DAERA's enforcement policy which applies in NI can be found at:

<https://www.daera-ni.gov.uk/publications/daera-enforcement-policy>

Both policies ensure:

- that duty holders take action to deal immediately with serious risks;
- sustained compliance with the law; and
- that those who breach their legal duties are held to account

Our approach is informed by:

- the principles of proportionality in applying the law and securing compliance
- consistency of approach
- targeting of enforcement action
- transparency about how it operates as a regulator and what those regulated may expect
- accountability for the regulator's actions

These principles apply both to enforcement in particular cases and to the health and safety enforcing authorities' management of enforcement activities as a whole.

The overall aim is always to protect public health and the environment by following up adverse findings or evidence of misuse/abuse of PPPs.

5. Enforcement action taken in 2023

Enforcement action taken by HSE

HSE carries out both reactive and proactive investigations. Reactive investigations focus on investigating complaints received from either outside government (general public, pesticide companies) or received as a result of other initiatives. The Official Control Regulations introduced proactive inspections in 2020. In 2023 HSE carried out 170 reactive investigations detailed here, and 374 proactive controls detailed at Section 8 'The Official Controls (PPP) Regulations 2020' under 'Official Visits' on page 18.

Summary of enforcement action

Residue cases (15 cases)

There were 15 cases where residues detected in UK produce appeared to indicate use of unauthorised plant protection products. These cases arose from residues monitoring of about 3000+ samples of UK produce. Unlike previous years brassicas and spring green type crops were not the main produce to contain unauthorised residues. The largest number of cases involved the active substances fenbuconazole, cypermethrin and/or tau-fluvalinate detected in cherries (7 cases). In all cases, it was later found that the cherries were imported into GB.

The remaining 8 cases were fluopyram in baby cucumber (1), fluopyram and trifloxystrobin in mangetout (1), chlorantraniliprole in spinach (1), a number of residues in petits pois (1), a number of residues in, sugar snap peas (1), a number of residues in carrots (2) and a number of residues found in pears (1)

Outcomes:

- In 7 cases involving cucumber, carrot (2), sugar snap peas, petits pois, mangetout and pear, no evidence of any unauthorised use by the grower had been found. The cases were closed by letter reminding the grower of the importance of correctly washing out tanks after or mid use, keeping spray confined to the target crop and trying to not allow treated crops to contaminate other produce in store
- The remaining cases of cherries (7) and spinach (1) were closed with no further action after it was found that the produce was imported into GB. In all cases there were no health concerns, and the produce had already sold through the market

MRL Residue cases (85 cases)

There were 85 cases referred to HSE by the FSA or Soil Association covering a wide range of imported commodities, including rice, a variety of spices, pears, tea, amongst others. Where contaminated produce was found to be still in store or stock, it was either destroyed or returned to the supplier where appropriate. Some produce had already sold through the market, but risk assessments did not raise any concern for human health

Outcomes:

- In all cases, advice was given to bring the duty holder back into compliance. This advice was to either destroy or return affected stock back to the supplier

Use, Advertising, Sale, Supply and authorisation (70 cases)

Cases related to the sale and offer for sale of unauthorised products including a number of products being offered for sale via the internet. Appropriate enforcement action was taken including removal of online advertising and offers for sale and issuing of enforcement notices. Not all enforcement action had been completed at the end of 2023 and some cases are still being progressed.

Advertising and labelling

11 cases. 6 of these cases involved unauthorised products containing acetic acid being advertised as PPPs. The remaining concerns involved moss control claims on labels (see below).

Authorisation and supply issues

59 cases. Most cases involving authorisation issues are due to duty holders making claims on the product label that is not on their authorisation or would bring a non-PPP product within scope of the PPP regulations. As with previous years, a large quantity of these cases related to label claims of moss control (23 cases) where label claims of killing or controlling moss brought products within scope of the regulations. The outcome to these moss related cases were:

- 1 enforcement notice was issued regarding moss control claims
- advice to help bring duty holders back into compliance was given in all other moss related cases

This resulted in the companies coming back into compliance.

Further, non-moss related cases involved 'weed killers' being sold online that did not have an authorisation in place or professional products where there is

no longer an extant authorisation. Other cases involved label claims of being 'Organic & Natural' or 'Safe For Use'.

Outcomes:

- 25 cases involved advice given with the duty holder getting back into compliance
- 8 cases involved no further action, or no compliance issues were found
- 3 cases were referred out of HSE to other authorities

Enforcement action taken by DAERA

In 2023 DAERA carried out reactive investigations, focusing on investigating whistleblower complaints received directly from the general public or received as a result of other initiatives.

Summary of enforcement action

Advertising, Sale, Supply and authorisation (3 cases)

In 2023 cases related to the online sales of unauthorised products, through e-commerce traders and providers of multi channel e-commerce that enable businesses to trade via online marketplaces in addition to their own websites. In 2 cases duty holders made claims on the product label and associated sales advertising of moss control action, which brought the products within scope of the regulations. 1 case related to the sale of an Irish approved amateur PPP. Warning letters were issued in all cases seeking voluntary compliance. Where relevant Trading Standards were contacted to assist in the removal of the products from the online marketplaces. Due to resourcing follow up enforcement visits were not carried out.

- 3 warning letters issued

Use (13 cases)

During Primary Production Hygiene inspections, 10 operators were found to be in breach of one or more requirements related to the correct use of PPPs. There were 6 incidents of insufficient bunding of PPP storage and 6 occurrences of spraying without the necessary training and certificate of competence recorded.

There were 3 whistleblower cases. One case related to claims of effects on human health because of spray drift. The case was transferred to HSENI for action.

Another case related to the spraying of PPPs near water. The local Council Environmental Health Officer carried out a site investigation with advice from DAERA and Northern Ireland Environment Agency (NIEA).

Finally, evidence from multiple whistleblowers was received against one premises, claiming that a contractor acting on behalf of the duty holder had brought onto the premises and used unauthorised PPPs, that waste PPPs and their containers were being disposed of incorrectly, risking the water and protected marine environment and that an unauthorised PPP had been used that is linked to human health concerns.

- DAERA addressed the compliance issues around the storage and use of plant protection products not authorised for amenity use with the duty holder directly. The duty holder subsequently took appropriate action to dispose of the unauthorised products safely and put measures in place to ensure regular auditing of their pesticide store
- NIEA investigated the environmental claims - no compliance issues were found
- The local council Environmental Health department investigated the health-related claims – no compliance issues were found

Outcomes:

- 1 case involved the duty holder getting back to compliance
- 3 cases require future follow up action by HSE (GB) PEOs
- 2 cases were referred to other authorities and subsequently involved no further action as no compliance issues were found
- 10 cases identified during inspections carried out under the Food Hygiene Regulations (NI) 2006 (as amended) on primary producers involved advice

6. Wildlife Incident Investigation Scheme (WIIS)

In the UK, the WIIS investigates deaths of animals and wildlife (including pets, working dogs, some livestock and bees) if there is evidence to suggest that they may have been poisoned or put at risk by pesticides¹.

Where there is sufficient evidence of illegal activity, enforcement court action may be taken. The ensuing fines and adverse publicity of such cases encourage pesticides to be used safely.

Information on WIIS cases investigated are published on-line at:
<https://www.hse.gov.uk/pesticides/reducing-environmental-impact/wildlife/wildlife-incident-investigation-scheme.htm>

Table 1: Cases accepted for investigation from WIIS in 2023

Case Category	Quarter 1	Quarter 2	Quarter 3	Quarter 4	Total
Abuse	6	6	2	4	18
Misuse	2	3	2	1	8
Not Applicable	6	11	4	5	26
Other Cause	73	41	33	24	171
Unknown	22	23	16	14	75
Unspecified	8	3	3	3	17
Grand Total	117	87	60	51	315

¹ Plant protection products and biocides

Of the cases involving pesticides that were accepted onto the WIIS in 2023 in England, Scotland, Wales, Northern Ireland, no cases led to a prosecution.

Category definitions:

Approved use: a pesticide is used in accordance with its conditions of authorisation

Misuse: the product has not been used according to the conditions of its authorisation, but often just carelessly or accidentally, without the intention of harming animals

Abuse: a pesticide has been deliberately used in an illegal manner to poison, or to try to poison animals

For more details on the category definitions and further information on WIIS, please visit: <https://www.hse.gov.uk/pesticides/reducing-environmental-impact/wildlife/wiis-quarterly-reports.htm>.

7. Human Health Enquiry and Incident Survey 2023

Since 2002 HSE has undertaken an annual Human Health Enquiry and Incident Survey of all companies holding authorisations or permits for PPPs to monitor their safe use. By questionnaire, companies are asked to inform HSE of all possible human health incidents or related enquiries made to the company during the preceding year, running from January to December. The survey includes both professional and home or garden, non-professional products and provides information on all actual and potential exposures to PPPs, no matter how small.

The results of the survey for the past 5 years are presented in Table 2.

Table 2: Results of Human Health Enquiry and Incident Survey (HHEIS)

Incidents involving	2019	2020	2021	2022	2023
Professional Use	19 (35%)	15 (31%)	7 (23%)	27 (64%)	8 (25%)
Professional Use - Involving children	0	0	0	1 (2%)	1 (3%)
Amateur Use	27 (49%)	27 (55%)	19 (63%)	8 (19%)	19 (59%)
Amateur Use – Involving children	6 (11%)	7 (14%)	4 (13%)	2 (5%)	4 (13%)
Unknown Use	2 (4%)	0	0	4 (10%)	0
Unknown Use – Involving children	1 (2%)	0	0	0	0
Total Incidents	55	49	30	42	32

Data are presented annually for scrutiny to the Government's expert advisory committee, the Expert Committee on Pesticides. Generally, cases reported under HHEIS suggest relatively minor exposures which are not reported to lead to significant health impacts.

The overall number continues to decline with the 2023 return being less than 25% of the peak number of cases reported in 2009. During the 20 years that

the survey has operated the number of authorisation holders contacted has not declined substantively and HSE continue to receive nil returns rather than no response, though there are some non-responders. This suggests either a genuine decrease in the number of incidents or that those involved in exposures are no longer contacting authorisation holders.

8. The Official Controls (Plant Protection Products) Regulations 2020

The Official Controls (Plant Protection Products) Regulations 2020 and the Northern Ireland equivalent, the Official Controls (Plant Protection Products) Regulations (Northern Ireland) 2020 are in place to enable regulatory authorities to support compliance and enforce legal requirements that apply to the placing on the market and use of PPPs throughout the supply chain.

Both legislative versions are known as the ‘2020 Regulations’ and hereafter this report will state (GB) or (NI) after ‘2020 Regulation’ when referencing a specific constituent territory.

The 2020 Regulations apply to PPPs and their components, which may include active substances, safeners, synergists or co-formulants that could form a component part of a PPP.

PPPs play a vital role in supporting plant health and crop production. Safe supply and use of PPPs protects our crops and natural landscapes from native and invasive non-native species, supports domestic food production, and helps to maintain our recreational, transport and amenity areas. The 2020 Regulations supplement the Plant Protection Products Regulations 2011 applicable to GB, the Plant Protection Regulations (Northern Ireland) 2011 and the Plant Protection Products (Sustainable Use) Regulations 2012.

Implementation of the 2020 Regulations enables the four governments of the UK, working with the regulatory authorities, to understand how PPPs are being sold and used, to support businesses and organisations to be compliant with their legal obligations and to ensure PPPs are used sustainably and in accordance with the conditions of use.

Businesses and others subject to the 2020 Regulations will be selected for inspection based on the risk profile of their organisation. This is called taking a risk-based approach. Taking a risk-based approach means that, when planning the approach to inspection visits, factors that contribute to the risks associated with PPPs throughout the supply chain will be considered. This will include looking at the nature and scale of businesses, the amount of PPPs used, past records of compliance, the activities under their control and results of previous inspections.

The role of HSE's PEO is to conduct official controls on operators throughout the PPP supply chain in Great Britain (England, Scotland and Wales). A dedicated pesticide enforcement unit within DAERA will perform similar controls on businesses based in Northern Ireland, once the recruitment process is complete. Operators include authorisation holders, importers, exporters, manufacturers, formulators, those who package and label plant protection products, distributors/sellers and users of plant protection products authorised for professional use.

The PEOs carried out 374 proactive (this figure includes official site visits and the formulations survey covering 102 products – See Section 9 'Control on the composition of plant protection products' at page 20) Official Controls during 2023. These are split into the following categories:

Official visit

272 official visits were carried out. These onsite visits allow the PEO to check how well operators comply with their duties under plant protection product law. Of the visits carried out, there were 24 cases where no compliance issue was found, or the case is still being investigated.

There were 248 compliance issues found where a PEO gave:

- **verbal advice:** 91 cases resulted in verbal advice given to improve things such as handrails, monitoring temperatures, COSHH risk assessments to see if a respirator is required. Other advice given was on bund maintenance schemes in place, using inappropriate storage spaces and general housekeeping
- **letters:** 134 letters with actions for the operator to complete were issued. These actions ranged from: requirements to repair cracks in bund; disposing of unauthorised products; moving flammables away from oxidisers; move PPPs away from inappropriate storage places, and to check that racking or shelving was not damaged and appropriate

- **enforcement notice:** 23 notices were issued with remedial action being taken bringing the companies back into compliance:
 - 8 notices issued for storage arrangements - prohibiting the company from storing PPPs in an unbunded area and for not having designated spill kits. 1 notice was issued for bunding in the PPP store not sufficient to contain spillages and prevent unwanted release of plant protection products. The notice was withdrawn as the company was back in compliance
 - 7 notices issued for bunding in the PPP store not sufficient to contain spillages and prevent unwanted release of plant protection products.
 - 2 notices issued for PPPs being placed on the market with a label that is not consistent with the agreed label referred to in the product's authorisation
 - 5 notices issued for storing a PPP which is not authorised for storage and which has active substances that are not approved in Great Britain. All issues corrected
 - 1 notice issued for failure to keep records of the plant protection products used

9. Control on the composition of plant protection products

Formulation surveys are comprised of two components: a programme analysing a pre-determined number of active substances and a programme analysing products brought to the attention of HSE as a result of enforcement activities.

In 2023, the survey consisted of 11 active ingredients across 102 products. The active substances were selected using criteria including the length of time since last selection, number of products containing the active and any specific concerns/intelligence received about an active substance. The surveys undertook analysis for the active substances:

- captan
- deltamethrin
- 2,4-d
- metamitron
- fenpicoxamid
- mancozeb
- mepiquat chloride
- folpet
- mesosulfuron-methyl
- pinoxaden
- florasulam

Summary of the formulation analysis of pre-determined active substances - 2023

Problems found - 102 products sampled

5 products failed to meet the Food and Agriculture Organisation (FAO) specification with regards to the content of the active substance.

The FAO/WHO specification is regarded as a benchmark representing a global standard of product quality. This is an international objective and so applies to GB authorised substances. It is stated in Retained Regulation (EC) 284/2013 (that applies in GB) that 'the extent to which plant protection products for which authorisation is sought, comply with the relevant

FAO/WHO specification, shall be stated. Divergences from these specifications shall be described in detail and justified by the applicant'.

Impurities - 66 products sampled

1 product contained an impurity above the specified limit.

Co-formulant - 42 products sampled

0 products were out of specification with regards a co-formulant

Physical/ Chemical properties - 102 products sampled

18 products were out of specification with regards physical/ chemical properties

Labelling concerns - 102 products sampled

6 products either had missing/ illegible batch numbers/ inadequate labelling

Enforcement action in formulations analysis

HSE is taking forward appropriate regulatory follow up action in relation to the results of formulations analysis. This includes working with authorisation holders and the manufactures of PPPs to correct any issues found with product specifications. Failure to comply may result in the removal of the authorisation.

10. Monitoring of food

The HSE's food monitoring programmes check food and drink in Great Britain and Northern Ireland for traces of pesticide residues on behalf of Defra, the Northern Ireland Executive, the Scottish Government and the Welsh Government.

One of the purposes of the programme is to check whether residues found in food (by food in this report, we mean both food and drink) are above the Maximum Residue Levels (MRLs) set by law.

A MRL is the highest level of a pesticide residue that is legally tolerated in or on food when pesticides are applied correctly in accordance with Good Agricultural Practice. The amounts of residues found in food must be safe for consumers and must be as low as possible.

HSE administers a food monitoring programme that:

- when residues are detected, conducts risk assessments to identify whether the levels found are likely to impact on human health - this is done for all residues, whether or not the MRL is exceeded
- assesses the risk of residues detected on various consumer groups that include particular groups of vulnerable consumers such as babies, toddlers and the elderly
- where more than one pesticide is found with similar modes of action for certain chemical groups of pesticides, identifies if the impact of the sum of the residues is of concern
- when problems are found, takes action including additional testing
- checks that results align with those set by the regulatory regime when the law on using the pesticides or on pesticide residues in food were set
- communicates with suppliers and food producers. This communication often drives positive impact work for the supply chain

The monitoring programme is risk based, looking at those foods in which we expect to find residues. Overall results show that the vast majority of food we tested (98.22%) complied with legal limits for pesticides in that food. The compliance rates in this year's report are broadly similar with monitoring results in previous years.

The following results summarise the 2023 programme which analysed 3,647 samples of 30 different foods:

- 1,791 samples (49.11%) had none of the residues HSE looked for
- 1,798 samples (49.30%) had residues found at or below the MRL

- 58 Samples (1.59%) had residues above the MRL.

The programme tested 3,647 samples each for an appropriate range of pesticides. In total we tested around 1,091,870 food and pesticide combinations. For Great Britain and Northern Ireland combined, HSE surveyed 30 different commodities, collected 3,647 samples, and carried out 48 detailed risk assessments in 2023.

All the samples in which a residue was detected were checked for risk to consumers by means of a risk assessment screening mechanism. In the Expert Committee on Pesticide Residues in Food (PRiF) quarterly reports of 2023 we published results of 48 detailed short term risk assessments where we wanted to consider in more detail whether there was a concern for human health. Great Britain and Northern Ireland results are assessed together for risk, so these assessments cover samples from both surveys.

Of these a small number, 11, led the FSA to follow up with appropriate action.

HSE refer information about food samples to the FSA where, following risk assessment, we have concerns about the potential risk to health of people eating these foods.

The full UK 2023 results, brand name details and summary tables can be found at: [Pesticide residues in food: quarterly monitoring results for 2023 - GOV.UK](#).

Table 3: Summary of UK commodities sampled and residues detected in 2023

Survey UK	Highest number of pesticides sought	No. Tested	No. With residues (at / below MRL)	No. With residues above the MRL	No. With more than 1 residue
Beans (dried)	418	109	42	9	29
Beans with Pods	405	135	69	12	41
Bread	408	273	258	0	120
Brussel Sprouts (EU)	300	22	15	0	3

Carrot	385	164	70	5	47
Cauliflower	382	141	40	5	9
Crisps (potato based)	404	24	16	0	3
Fish (oily)	112	144	22	0	1
Grapes	406	155	149	1	134
Infant formula	409	36	0	0	0
Kiwi Fruit	384	145	78	0	21
Lemons	378	137	110	2	110
Liver	112	144	6	1	0
Milk	112	372	1	0	0
Onions	405	120	38	0	13
Orange juice	404	48	8	0	5
Oranges	410	140	127	7	132
Pears	413	141	122	1	106
Peas edible pods	380	86	58	6	45
Peas without pods	381	82	47	0	12
Pineapples	381	139	88	1	29
Potatoes	406	214	115	3	42
Poultry meat	117	144	5	1	1

Pulses (dahls/lentils)	408	24	17	2	15
Rice	415	126	53	0	32
Rye flour	412	95	22	0	15
Snacks (cereal based)	403	26	6	0	0
Snacks (speciality)	406	36	13	1	2
Soft Citrus	406	153	157	1	145
Spring onions	401	72	46	0	34
Total		3647	1798	58	1146

11. Cross Compliance

England

The Rural Payments Agency (RPA) was the appointed Competent Control Authority (CCA) in England for the purposes of administering cross compliance controls on the proper use of PPPs under SMR 10 and on record keeping under SMR 4.

A guide to cross compliance in England 2023 is available at:

<https://webarchive.nationalarchives.gov.uk/ukgwa/20231103060408/https://www.gov.uk/government/publications/cross-compliance-2023/cross-compliance-2023>

Scotland

The Scottish Government's Rural Payments and Inspections Division (RPID) is the CCA in Scotland for the purposes of administering cross compliance controls on the proper use of PPPs under SMR 10 and on record keeping under SMR 4.

Further information on cross compliance in Scotland can be found at

[Cross Compliance inspections \(ruralpayments.org\)](https://www.ruralpayments.org/cross-compliance-inspections)

Wales

Rural Payments Wales (RPW) was the appointed CCA in Wales for the purposes of administering cross compliance controls on the proper use of PPPs under SMR 10 and on record keeping under SMR 4.

A guide to cross compliance Verifiable Standards in Wales 2023 is available at [Cross compliance: verifiable standards 2023 | GOV.WALES](https://www.gov.wales/cross-compliance-verifiable-standards-2023)

Northern Ireland

The Department of Agriculture, Environment and Rural Affairs (DAERA) was the appointed CCA in Northern Ireland for the purposes of administering cross compliance controls on the proper use of PPPs under SMR 10 and on record keeping under SMR 4.

A guide to cross compliance Verifiable Standards in Northern Ireland 2023 is available at: <https://www.daera-ni.gov.uk/publications/cross-compliance-2023>

Guides to the cross compliance penalty framework that applies in Northern Ireland is available at: <https://www.daera-ni.gov.uk/publications/cross-compliance-penalties>

Number of penalties imposed for Cross Compliance Breaches under SMR10 in 2023

England

Main Selection

- Number Failed – 16
- Number Selected – 814
- Percentage inspections failed – 2.0%

Standalone Selection

- Number Failed – 0
- Number Selected – 0
- Percentage inspections failed – 0%

Reductions

- Advisories – 0
- Warning letter – 0
- 1% – 2
- 2% – 1
- 3% – 4
- 4% – 0
- 5% – 9
- 5 – 15% – 0
- More than 15% – 1

Verifiable Standards

Standard SMR 10 A1

You must not use any plant protection product unless it is authorised or has a valid parallel trade permit.

- No. of breaches - 3
- Warning Letter - 0
- 1% reduction - 0
- 2% reduction - 0
- 3% reduction - 0
- 4% reduction - 0
- 5% reduction - 3

- Over 5% reduction - 0

Standard SMR 10 B1

You must use authorised or permitted plant protection products in accordance with any requirements or condition which is specified in authorisation, permit or in any extension of use or on the label of the product as required by the authorisation, permit or extension of use.

- No. of breaches - 5
- Warning Letter - 0
- 1% reduction - 0
- 2% reduction - 1
- 3% reduction - 1
- 4% reduction - 0
- 5% reduction - 3
- Over 5% reduction - 0

Standard SMR 10 B2

You must use plant protection products in accordance with good plant protection practice as explained in the Code of Practice for using plant protection products.

- No. of breaches - 9
- Warning Letter - 0
- 1% reduction - 2
- 2% reduction - 0
- 3% reduction - 3
- 4% reduction - 0
- 5% reduction - 4
- Over 5% reduction - 0

Scotland

The Scottish Government administrate cross compliance controls on the proper use of PPPs in Scotland.

- Selected Inspections – 109
- Selected inspections failed - 4
- Percentage of selected inspections failed – 3.67%

Reductions

- Warning Letter - 3

- 1% reduction - 1
- 3% reduction - 0
- 4% reduction - 0
- 5% reduction - 0
- 5 - 15% reduction – 0
- Over 15% reduction – 0

Wales

The Welsh Government administrate cross compliance controls on the proper use of PPPs in Wales.

- Selected Inspections – 164
- Selected inspections failed - 0
- Percentage of selected inspections failed – 0%

Reductions

- Warning Letter - 0
- 1% reduction - 0
- 3% reduction - 0
- 4% reduction - 0
- 5% reduction - 0
- 5 - 15% reduction – 0
- Over 15% reduction – 0

Northern Ireland

The DAERA administrate cross compliance controls on the proper use of PPPs in Northern Ireland.

- Selected Inspections – 254
- Selected inspections failed - 0
- Percentage of selected inspections failed – 0%

Reductions

- Warning Letter - 0
- 1% reduction - 0
- 3% reduction - 0
- 4% reduction - 0
- 5% reduction - 0
- 5 - 15% reduction – 0

- Over 15% reduction – 0

12. Other monitoring programmes

Pesticide Usage Surveys

Official surveys of PPP usage on a variety of agricultural and horticultural crops are carried out across the UK.

Data is collected by experienced surveyors, via questionnaires, digital software management systems and telephone discussions, with the option of personal visits (when necessary) to holdings across the UK.

- Edible crops
- Outdoor vegetables

The pesticide usage surveys published for 2023 can be found at:

Fera published reports. <https://pusstats.fera.co.uk/published-reports>

317	Edible protected crops in the UK	12 November 2024
316	Outdoor vegetable crops in the UK	5 November 2024

Scotland - Science & Advice for Scottish Agriculture (SASA) -

<https://www.sasa.gov.uk/pesticides/pesticide-usage/pesticide-usage-survey-reports>

Outdoor Vegetable Crops 2023	2 October 2024
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Northern Ireland – Agri-Food and Biosciences Institute (AFBI)

<https://www.afbini.gov.uk/articles/pesticide-usage-monitoring-reports>

Outdoor vegetable crops 2023	18 December 2023
Edible protected crops 2023	18 December 2023

13. BASIS

BASIS® Registration Ltd (known as “BASIS”) was established at the suggestion of the UK Government in 1978. BASIS is an independent not-for-profit organisation set up to establish and assess standards in the PPP industry relating to storage, transport and competence of staff.

The functions of BASIS include the Store Inspection scheme that is an independent annual audit for certification required to ensure compliance with legislation and achievement of best practice standards in professional product pesticide stores. Whilst the Yellow Code (Code of Practice for suppliers of pesticides to agriculture, horticulture and forestry) recommends BASIS as an appropriate organisation to undertake inspections, use of BASIS for stores inspections is not a statutory requirement and suppliers are free to obtain inspections from other independent experts.

The BASIS Scheme audits to the standards set out in the Defra Code of Practice for Suppliers of Pesticides to Agriculture, Horticulture and Forestry, Plant Protection Products (Sustainable Use) Regulations and other relevant Codes of Practice. The areas covered as part of the audit include products, segregation and storage, training and qualifications, personal protective equipment, signage and emergency procedures. Annual certification demonstrates compliance to HSE, wider authorities and the public.

BASIS is also a designated award body for statutory Certificates of Competence required by pesticide legislation for all those selling, supplying and storing pesticides.

Inspection of Stores Statistics for January – December 2023

BASIS annually audits every BASIS-registered pesticide store in the UK (Great Britain and Northern Ireland) to ensure that the store, people who operate it and the staff who provide advice on professional pesticides meet their legal obligations and are taking all reasonable precautions to protect people and the environment.

Table 4: Outcome of BASIS store Inspections in 2023

	10/2022	05/2023	10/2023
Pass %	68.57	57.86	56.94
Qualified pass %	30.28	40.25	40.85
Fail %	1.15	1.89	2.21

Pass - the company has been audited and there were no actions at all with the audit.

Qualified Pass - the company was audited and there may have been some minor actions that is required for the company to rectify.



Further information

For information about health and safety, or to report inconsistencies or inaccuracies in this guidance, visit www.hse.gov.uk.

You can order HSE priced publications at <https://books.hse.gov.uk> HSE priced publications are also available from bookshops.

This publication is available on the HSE website at www.hse.gov.uk

This guidance is issued by the Health and Safety Executive. Following the guidance is not compulsory, unless specifically stated, and you are free to take other action. But if you do follow the guidance, you will normally be doing enough to comply with the law. Health and safety inspectors seek to secure compliance with the law and may refer to this guidance.

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